Ombudsman
B.C.'s Independent Voice For Fairness

Annual Report
2007/08

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Ombudsman
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The Honourable Bill Barisoff
Speaker of the Legislative Assembly
Parliament Buildings, Room 207
Victoria BC V8V 1X4

Dear Mr. Speaker:

It is my pleasure to present the Office of the Ombudsman's 2007/08 Annual Report to the Legislative Assembly.

This report covers the period January 1, 2007 to March 31, 2008 and has been prepared in accordance with section 31 (1) of the *Ombudsman Act*.

Yours sincerely,

Kim S. Carter

Kim S. Carter
Ombudsman
Province of British Columbia

October 2008

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From the Ombud

In this annual report you will see several changes and innovations. Foremost is our decision to move to reporting on a fiscal, rather than calendar year basis. This was done to allow a more accurate reflection of how the service we deliver is connected to the resources we receive.

2007 was my first full year as Ombudsman for British Columbia. It was an exciting time. Our office reached out to members of the public to improve their understanding of our role. We contacted advocacy and support groups to find ways to improve access to our office for those who face challenges. Our staff worked with authorities to improve their internal complaint resolution processes. We helped thousands of individual British Columbians.

Significantly, 2007 also marked the restoration of full service to the public in all the areas falling within the Ombudsman's jurisdiction. From 2003 to 2006, the response of the office to complaints in a number of areas, ranging from health authorities to self-regulating professions, was restricted due to budgetary constraints. The restoration of full access to the services of the Office of the Ombudsman was, I believe, of vital importance. It ensured people had somewhere to turn if they felt their concerns and complaints in those areas had not been properly dealt with.

Unresolved concerns and complaints do not simply go away if there is no appropriate process – independent, impartial, confidential – in which people have confidence, to address them. Indeed, such concerns and complaints often become more intractable over time and the absence of such a process becomes a source of complaint in and of itself. It is not only individuals who suffer the consequences, organizations also lose access to an independent and impartial process that can assist in identifying and resolving issues before they become a crisis.

The role of the Office of Ombudsman in 2007/08 continued to be that of an independent and impartial advocate for administrative fairness – an organization that really listens to individual problems; that takes time to ensure procedures, actions and decisions are understandable; that investigates unfair treatment; and that works to achieve fair resolutions and improvements to how people are treated by public authorities in British Columbia. If you were a student with a loan problem; a person on disability denied benefits; a parent seeking an explanation from a school board; or a senior facing difficulty obtaining a bus pass, you might have been one of the many people who came to us in 2007/08 with your problem and who contributed towards making British Columbia a fairer place to live.

"I am also very thankful that you took the time to listen because it has been an incredibly sad and frustrating experience to be going through and it was just wonderful to finally have someone listening to what I was saying."

– from a thank-you letter sent to us in 2007

2007/08 IN REVIEW

This year allowed me to solidify and expand upon the directions I set for this office when I was appointed in May 2006. One of the areas of focus in 2007/08 was communicating to individuals and authorities that we were "open for business" and would deal with individual complaints and "generally oversee the administrative actions of government authorities" in all areas within our jurisdiction.[1] This was particularly important in the areas where our ability to respond was limited between 2003 and 2006. Those areas were health authorities, hospitals, school boards, schools, local governments, colleges and universities, and self-regulating professions. While communicating this message to authorities was relatively straightforward, reaching individuals with this positive message was more challenging.

> *"I have a hard time putting my gratitude into words. If I was a baker, I would make you a thank-you cake with sprinkles. If I was a musician, I would compose a thank-you symphony.... I want to thank you – with every cell of my being for your tremendous effort and support on my behalf.... Knowing a wrong has been righted gives me a terrific boost."*
>
> *– from a thank-you letter sent to us in 2007*

In general however, I believe the emphasis the office put on outreach, education and communication in 2007/08 was reflected in the increase in the number of intakes during this time – 6,699 compared to 6,438 in 2006.[2] This is the first time this number has increased since 2001. I spoke in last year's annual report about the "untapped market" of people who were not accessing the service this office offers because they did not understand the role of the office. I believe that a slow and steady increase in our intake numbers will demonstrate our success in reaching out to those individuals.

During my tours across the province in 2007/08, I was asked why it is so important to me to increase the awareness of our office. Given the number of enquiries and complaints the Office of the Ombudsman already receives and its modest size, do we already have more than enough to do without letting more people know about the office, which will certainly result in more complaints and consequently more work? While our office is busy and our organization is lean, to paraphrase what we heard from a person who we assisted, knowing someone has been helped, knowing a wrong has been righted, knowing a process now treats people fairly, gives us a "terrific boost." We only get that boost when people come to us with concerns and complaints about fair treatment.

Undoubtedly, knowledge and understanding of the role of the Office of the Ombudsman was enhanced in 2007/08 by the issuing of two public reports resulting from systemic investigations; one on changes to compensation paid to a group of people who had been victims of criminal acts, and the other on the British Columbia Lottery Corporation's prize payout process. Our recommendations for improving the administrative fairness of these processes were accepted in both cases and those recommendations have been, or are in the process of, being implemented. These two reports demonstrate how effective systemic

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[1] *Report of Special Committee to Appoint an Ombudsman*, Legislative Assembly of British Columbia, Second Session, Thirty-Eighth Parliament, 26 April 2006, page 1.

[2] In the 2007 calendar year, we had 6,870 intakes.

From the Ombudsman

investigations can be in achieving positive change. This capacity will continue as a result of the increased funding recommended by the Select Standing Committee on Finance and Government Services in December 2007.

2007 also marked the introduction of some internal initiatives designed to allow the Office of the Ombudsman to deliver its services in an even more timely and effective manner. An "Early Resolution" trial program was conducted to determine whether, in appropriate cases, a satisfactory resolution could be achieved without having to engage in the process of a full investigation. The trial project was a success and a budget submission for resources to implement an Early Resolution process in 2008 was approved.

"I would like to thank you for all your help with my complaint and having the issue resolved. I appreciate all your hard work and the time you put in so the matter would be resolved quickly."

– from a thank-you letter sent to us in 2007

In addition to assisting individuals and authorities, this early resolution initiative was designed to address the increasing workload of investigative staff. While some cases are suitable for early resolution, many of the matters that come to this office are becoming increasingly complex, and require more time and energy to reach a satisfactory conclusion.

Changes made over the past 10 to 15 years in government structure and service delivery have affected how our office does business. In past years we might have heard about problems early in a process, because there were fewer internal complaint resolution or review processes. While we encouraged, and continue to encourage, the implementation of these processes, the practical result is that often the issues that arrive at our office are not ones that can easily be resolved. In addition, several levels of review as well as increased disclosure of information mean that frequently there is much more documentation and other material to analyse, even before deciding whether there is an appropriate role for our office. Equally, a move toward guidelines, flexibility and the exercise of discretion means that individuals often have more questions, concerns and complaints, as they see their situation resulting in treatment that was different from that received by someone else in what they believe is a similar set of circumstances. This is particularly challenging given our broad jurisdiction, which includes thousands of authorities and policies, and hundreds of different pieces of legislation.

The Office of the Ombudsman plays a unique role in British Columbia in ensuring people are treated fairly by public authorities, which benefits not only individual complainants, but also provincial public authorities and public administration generally. Fair treatment is important because it is a practical demonstration of many of the values we espouse as a democratic society – open, transparent, consistent, reasonable and equitable processes; clear communication of pertinent information; appropriate and reasoned decision making; professional, respectful and courteous interactions; timely and effective delivery of services; and accountability for achieving planned, desired results.

STATISTICAL SURVEY

One of the strengths of our office is our capacity to produce detailed statistical reports that allow us to analyze and reflect upon the work we do and how we do it. Since 2001, we have used a standard methodology and a sophisticated, computerized case tracker system to produce useful comparative data

for ourselves, and through our annual reports, for the Legislative Assembly, the public, authorities and complainants. We continue to make ongoing improvements to our statistical reporting, and this year we have added information on the files we opened during this reporting period to our main table of authority statistics (see page 68). The addition of this information makes it easier to see how many complaints we've received about selected authorities during this reporting period.[3]

Another set of statistics we have added this year is a breakdown of files we opened by electoral district (see page 59). We have provided these figures in response to interest expressed about the geographic origin of our complaints. These figures confirm and expand upon what we already knew, which is that the services provided by the Ombudsman's office are used by people in all parts of the province. This more specific information augments the general data that we provide on the geographic origin of complaints (see page 57). As in previous years, the Lower Mainland is proportionally under-represented in contacts with our office. While this region has 59 per cent of the provincial population, only 43 per cent of our complaints and enquiries originate there. We remain concerned that this region is underserved by our office, and continue to look at ways to address this gap, particularly given the high percentage of new Canadians in the Lower Mainland, who may face cultural or linguistic barriers to accessing our services.

In the 2007/08 fiscal year, our office dealt with a total of 6,699 intakes. Looking at the entire period covered by this report, (January 1, 2007 to March 31, 2008), approximately 76 per cent of intakes were received by phone. We received the rest by mail, through our online complaint form, or in person, either at our Victoria office, or through one of our mobile intake clinics, which are regularly held on Vancouver Island and the Lower Mainland, as well as during our outreach tours across the province.

In 2007/08 4,766 files were closed by complaints analysts, 956 by ombudsman officers after a preliminary assessment and 994 by ombudsman officers after an investigation. This reflected an increase in the total number of files dealt with by complaints analysts of slightly more than 10 per cent. While the number of files closed by investigators decreased slightly in 2007/08 compared to 2006, it was still 20 per cent higher than in 2004. There was also an increase in the number of files open at the end of the year.

There were only slight changes in the authorities our office deals with the most frequently in this reporting period. Overall, ministries continue to be the source of most of our files, though the percentage of our work they represent decreased slightly, from 57 per cent in 2006 to 53 per cent between January 1, 2007 and March 31, 2008. Within that category we continued to deal with the Ministry Employment and Income Assistance most frequently, followed by the Ministry of Children and Family Development and the Ministry of Public Safety and the Solicitor General, as in 2006.[4] Our dealings with municipalities increased somewhat during this period, from four to seven per cent. Within the category of commissions and boards, we continue to deal with WorkSafeBC most frequently.[5] The same holds true for the Insurance Corporation

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[3] There are approximately 2,800 authorities under the jurisdiction of our office. We only report on those about which we have received an inquiry or investigated a complaint during the reporting period.

[4] As this report covers the period from January 1, 2007 to March 31, 2008, we have used the ministry names that were in place prior to the reorganization that took place in June 2008.

[5] In 2005, the Workers' Compensation Board began using the name, WorkSafeBC, and we have followed its practice. The Workers' Compensation Board of B.C. remains the agency's legal name.

of British Columbia, in the category of Crown corporations. During this reporting period we experienced an upsurge in the files we dealt with regarding the BC Lotteries Corporation. This reflects the fact that we conducted a systemic investigation into its prize payout process in 2007.

Section 13 of the *Ombudsman Act* provides a number of reasons why we may not investigate a matter or why one of our investigations may be discontinued. In 2007/08, we most frequently did this because there was an adequate administrative process available to the complainant that had not yet been used. The next most common reason was that further investigation was not required to consider the complaint. As well, in some instances investigations were discontinued because people withdrew their complaints. No matters were closed without investigation on the basis that the complaints were found to be frivolous or vexatious.

Between January 1, 2007 and March 31, 2008, approximately 61 per cent of the issues we investigated led to a settlement as provided for in section 14 of the *Ombudsman Act*, while approximately 39 per cent were not substantiated.

Following the pattern established in previous years, the vast majority (91 per cent) of enquiries and complaints we received concerned matters within our jurisdiction.

JURISDICTION

There were no changes to the list of public authorities which fell within the Ombudsman's jurisdiction in this reporting period. The jurisdiction of the B.C. Ombudsman's office is one of the widest in Canada, including not only provincial ministries, but also provincial commissions, boards and corporations; health authorities and hospitals; schools and school districts; colleges and universities; regional and municipal governments; libraries; and self-regulating professions such as dentists. There are approximately 2,800 public authorities that fall within the jurisdiction of the our office.

We still receive inquiries about the actions of various authorities over which we have no jurisdiction such as banks (which are within federal jurisdiction); municipal police and the Royal Canadian Mounted Police (who fall within the jurisdiction of the Office of the Police Complaints Commissioner or the RCMP Public Complaints Commissioner); the BC Ferry Corporation (a private entity) and home and property insurance (a private matter that does not involve a public authority). When we receive complaints about these non-jurisdictional organizations we always try to refer the callers to any other source of assistance that exists.

OUTREACH

The emphasis I've placed on outreach is reflected in the greater attention we have devoted to those activities in the pages that follow.

We started last year with a tour of eastern Vancouver Island and the Sunshine Coast in January 2007. Later in the year, we travelled to the Northwest coast, the Kootenays, and in early 2008, to the Fraser Valley. I use these outreach tours as an opportunity to meet with authorities in the different regions of the province, and to discuss with them the role of our office. Equally important is that through these tours I have the opportunity to listen to the concerns of people and organizations in different parts of B.C. The problems

raised by people in Masset, Trail or Gibsons are often quite different than those brought up by people in Victoria or the Lower Mainland, so as the Ombudsman for all British Columbians, I consider it vital that we proactively connect with all regions of the province. Two of my staff come with me on these tours, and while I am meeting with MLAs, local governments, school districts and community groups, they set up a temporary office to hear complaints in person. The communities we visited in 2007/08 were:

Ombudsman Tours 2007/08

Vancouver Island and Sunshine Coast
Gibsons, Sechelt, Powell River, Comox, Courtenay and Campbell River

Kootenays
Nakusp, New Denver, Kaslo, Nelson, Castlegar and Trail

Northwest Coast
Masset, Village of Queen Charlotte, Prince Rupert, Terrace, Kitimat

Fraser Valley
Squamish, Mission, Abbotsford, Chilliwack and Hope

While important, our tours are only part of the office's outreach program. We regularly arrange mobile intake clinics that allow people on the Lower Mainland and Vancouver Island to bring their complaint to us in person. The Lower Mainland clinics are held in Vancouver, North and West Vancouver, Burnaby and the Tri-cities area, Richmond, Surrey and Abbotsford. The Vancouver Island clinics are held in Duncan, Nanaimo, Salt Spring Island, Port Alberni, Courtenay, Comox and Campbell River. You can always find the current dates for these clinics, as well as information on how to book an appointment, on our website (www.ombudsman.bc.ca).

Meetings with MLAs, ministries, local governments, school districts, health authorities, commissions and boards, crown corporations, professional associations and community groups are also a routine part of our work. Meeting regularly with the public agencies under our jurisdiction, and also with interested community groups, allows us to promote the principles of administrative fairness and offer the expertise of our office to those who wish to improve their procedures and practices. In 2007, we also began speaking with groups that provide support and services to immigrants and new Canadians in the Lower Mainland, with the goal of increasing the accessibility of our services to people whose first language is neither English nor French.

Would you like someone from the Ombudsman's office to speak to your organization?

E-mail the details of your request to presentations@ombudsman.bc.ca, or call 250-387-5855.

From [illegible]

Below is a representative list of the outreach work our office undertook in 2007/08.

Presentations to, and Meetings with, Authorities

Ministries[7]

Ministry of Children and Family Development
Ministry of Education
Ministry of Employment and Income Assistance
Ministry of Environment
Ministry of Forests
Ministry of Health
Ministry of Transportation

Local governments

Central Kootenay Regional District
City of Abbotsford
City of Burnaby
City of Campbell River
City of Castlegar
City of Chilliwack
City of Courtenay
City of Kitimat
City of Nelson
City of New Westminster
City of Powell River
City of Prince Rupert
City of Richmond
City of Terrace
City of Trail
District of Hope
District of Mission
District of North Vancouver
District of Sechelt
District of Squamish
Powell River Regional District
Skeena-Queen Charlotte Regional District
Sunshine Coast Regional District
Town of Comox
Town of Gibsons
Village of Masset
Village of Queen Charlotte
Village of Nakusp
Village of Slocan
Village of New Denver
Village of Kaslo

Commissions and Boards

Columbia Basin Trust

Crown Corporations

Insurance Corporation of BC
BC Lottery Corporation
Community Living BC

Health Authorities

Fraser Health Authority
Interior Health Authority
Northern Health Authority
Provincial Health Services Authority
Vancouver Coastal Health Authority
Vancouver Island Health Authority

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[7] These are the names of the ministries prior to the government re-organization that took place in June 2008.

Professional Associations

Association of Professional Engineers
Board of Registration for Social Workers in B.C.
BC Association of Social Workers
College of Dental Surgeons
College of Physicians and Surgeons

School Districts, Universities and Colleges

School District 8
School District 10
School District 20
School District 33
School District 46
School District 47
School District 48
School District 50
School District 52
School District 72
School District 78
School District 82
Douglas College
Malaspina University College
Northwest Community College
University of British Columbia
University of Victoria
Royal Roads University

Others

Alouette Correctional Centre for Women
BC Coroners Service
Burnaby Youth Custody Centre and Youth Forensic Court Services
Cultus Lake Park Board
Office of the Provincial Health Officer
Office of the Superintendent of Motor Vehicles
Pharmacare
Prince George Youth Custody Centre
Vancouver Island Regional Correction Centre
Victoria Youth Custody Centre

Meetings with, and Presentations to, Non-profit Groups, Community Groups and Other Organizations

Abbotsford Community Services Society
Abbotsford-Sumas Rotary Club
B.C. Legislative Interns
Campbell River and District Association for Community Living
Castlegar Lions Club
Castlegar Seniors Group
Castlegar Sunrise Rotary
Children's Forum
Chilliwack Area Lions Clubs
Friendship House, Prince Rupert
Haida Gwaii Legal Project
Island JADE Society, Campbell River
Mission Community Services Society
MOSAIC
Nelson Advocacy Centre
Northwest Ombuds Group
Ontario Human Rights Commission
Ontario Ombudsman
Rotaract, Terrace
Rotary Club of Nelson
Rotary Club of Powell River
Royal Canadian Legion, Castlegar/Robson Branch 170
Representative for Children and Youth
Sea-to-Sky Community Services Society
Sechelt Indian Government District
S.U.C.C.E.S.S.
The Canadian Institute
The Law Centre, Victoria
Union of British Columbia Municipalities

SYSTEMIC INVESTIGATIONS AND REPORTS

In 2007/08, our office concluded two systemic investigations and released reports detailing our findings and recommendations. As well, in November 2007, we began a systemic investigation into the processes that protect the safety of British Columbia's drinking water.

Special Report No. 30 — Victims of Crime; Victims of Change: Transition and Discretion in Crime Victim Assistance Legislation in British Columbia

On May 25 2007, we released a report on the problems created for pension recipients when responsibility for the crime victims assistance program was shifted from the then Workers' Compensation Board to the Ministry of Public Safety and the Solicitor General. Our investigation and report highlighted the need for public agencies to plan carefully when contemplating program changes, and the necessity of identifying who will be affected and how.

> *"I'm absolutely ecstatic about it," [Ms. T] said of the news she will be receiving retroactive cost-of-living increases." I was upset when they took it away, so now that they're giving it back, I think it's great. This is certainly going to help with my monthly bills."*
>
> *Victoria Times Colonist, May 26, 2007*

While the report was based on the experience of Ms. T, a woman who was awarded a pension under the criminal injury compensation program after her husband was killed by a criminal act, changes made in response to our investigation affected nearly 400 others in similar situations. All were receiving monthly payments with adjustments to reflect changes in the cost of living. However, those cost-of-living adjustments were abruptly discontinued when the crime victim assistance legislation was changed and the program's administration was transferred to the Ministry of Public Safety and the Solicitor General. The ministry sent pension recipients an unsigned and undated form letter informing them that they would no longer benefit from cost-of-living adjustments.

Through our investigation, we found that the ministry based its decision to end the cost-of living adjustments on a mistake of law, and that its decision-making process was unfair. We recommended the ministry review its procedures and take measures to reduce the likelihood of similar problems happening again, and that it reinstate the cancelled cost-of-living adjustments. We also recommended that the ministry provide Ms. T and the other affected victims of crime with a lump sum payment, including interest, to cover the amount they would have received if not for the improper termination of the adjustments.

Happily, the Ministry of Public Safety and the Solicitor General accepted our recommendations. In total, crime victims affected by the program change received approximately $1 million in retroactive lump sum payments, as well as ongoing cost-of-living adjustments.

Special Report No. 31 — Winning Fair and Square: A Report on the British Columbia Lottery Corporation's Prize Payout Process

On May 29, 2007, after a five-month investigation, we released our report on our investigation into the British Columbia Lottery Corporation's (BCLC) prize payout process. This was Special Report No. 31 — *Winning Fair and Square: A Report on the British Columbia Lottery Corporation's Prize Payout Process.*

We initiated this investigation in December 2006, after serious questions were raised and remained unanswered about the seemingly high rates of wins by BCLC retailers and their employees. Through our investigation, we examined whether BCLC had adequate procedures in place to ensure that correct prize amounts were paid to the rightful owners of winning tickets. We also examined the Gaming Policy and Enforcement Branch's (GPEB) oversight of BCLC's retail network between the years 2002 and 2006.

Both BCLC and GPEB cooperated with our investigation and again, it was very satisfying that all our recommendations were accepted, and have been or are in the process of being implemented.

Investigation launched: Ombudsman examines drinking water safety

On November 20 2007, we announced that we were investigating various aspects of the systems that protect the safety of drinking water in British Columbia. Our investigation focused on the fairness and adequacy of the drinking water complaints process; how the public is notified when drinking water safety is threatened; and how information about drinking water safety is collected and tracked.

We decided to launch this systemic investigation as a result of complaints about the processes protecting drinking water safety that we had received from around the province. We were also convinced of the necessity of having well-established, timely, and effective processes for notifying the public about problems with drinking water, and for responding to their concerns and complaints. After careful consideration, we concluded that this area could benefit from the type of impartial, thorough and rigorous examination we carry out through our systemic investigations.

In conducting the investigation, we spoke with representatives of the five regional health authorities, the Ministry of Health, the Ministry of Environment, the Office of the Public Health Officer, and public and private water systems of all sizes, in all parts of the province. We also received information from members of the public, through a questionnaire that was available on our website. Our investigation was in progress at the close of fiscal year 2007/08.

CONCLUSION

2007/08 has seen steady progress in some areas identified as challenges for our office in our 2005 report – outreach and systemic investigations. Looking to the future, our plan is to build on this success. In 2008/09, our new outreach, education and communications position will allow us to improve the reach and effectiveness of communication about this office and the work it does. The new manager of systemic investigations will permit us to more effectively address broader issues that need the cooperation and collaboration of several different authorities to resolve. We will also look for innovative ways to improve access to our services for those who may face particular challenges, such as people with disabilities, people whose liberty is restricted, youth, seniors and people who have linguistic and literacy challenges. Finally, we will continue to seek out opportunities to develop mechanisms to assist all public authorities in British Columbia to meet their core goal of treating people fairly.

"She happened to be very sincere, helpful, caring and supportive entirely. Thought to myself that finally someone's recognizing the words I'm saying, voicing and expressing. This gesture indeed felt so reassuring plus comforting to the heart."

– from a 2007 thank-you letter written to us about one of our staff members, two years after she informed the writer that she could not substantiate his complaint

Case Summaries

While our systemic investigations and reports are more widely known, investigating individual complaints remains the core and foundation of our work.

In the following pages, you will find more than 50 examples of this work, which we hope will provide some insight into the nature of our investigations, and how they support our mandate of ensuring that the provision of public services in British Columbia is fair, transparent and accountable.[1]

We conduct about 2,000 individual investigations every year, so these examples reflect only a very small sample of the work we do. We are sharing the results of these investigations to demonstrate the variety of authorities and issues our office deals with. They also highlight that our office serves the whole province. This is why we have included information on the geographic origin of selected case summaries, which are identified as having come from one of four broad geographic regions: the Lower Mainland, Vancouver Island/ Sunshine Coast, the Interior or northern B.C.[2]

We hope that the public will be interested in our work and find these summaries informative and even inspirational. In many cases they show that people who complain about treatment they believe to be unfair can improve things not only for themselves, but for others who come after them. While some of the changes may seem small compared to the injustices that exist in the world, perhaps just a revision of an application form, or a change in what people are told on the phone about a program, these improvements make a difference to the people who depend on these services and programs. A small "course correction" early in a process can ensure that a person arrives at the right destination at the end of his or her journey.

> *"I am writing to thank you for investigating my complaint to the Ombudsman. Even though, in the end you had to close the case because it was not within your jurisdiction, I felt satisfied with the process.... It's interesting to note that even though the outcome was not what I had hoped, the feeling I had was one of contentment. [This] is one indication of the difference between being taken seriously or not."*
>
> *– from a thank-you letter sent to us in 2007*

Some of our investigations are time-consuming. In many cases, what we have condensed into a paragraph or two in these summaries actually took place over several weeks or months, with resolutions coming after much discussion, clarification of issues, research into options and negotiation. Even when we don't agree that a public agency has been unfair, our office provides a valuable service by independently and impartially reviewing what has happened and taking the time to explain it carefully to the person who has raised a concern.

It is important when reading these summaries, however, to keep the role of the Ombudsman's office in mind. While we often achieve results that satisfy the people who complain to us, this is not because we are their advocates. Rather, it is because we are *your* advocates — advocating for fair treatment for everyone in British Columbia. Our best resolutions rely upon the openness of the people in the agencies we investigate to making positive changes. Our investigations are conducted impartially and confidentially, with the aim of resolving problems and improving processes, not creating winners and losers.

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[1] While the situations described in these summaries are real, all personal names used are fictional. The names of the ministries are those prior to the government re-organization that took place in June 2008.

[2] Our office does not provide more specific information to ensure the confidentiality of the individuals involved.

Case Summaries

Delayed subsidy cheque resolved for mother of four

Ministry of Children and Family Development
Vancouver Island and the Sunshine Coast

Amy, a mother of four young children called us in June because the daycare subsidy program run by the Ministry of Children and Family Development had still not fully paid her care provider for looking after her children in February and March. She was upset because she had been trying for several weeks to resolve the matter, without making any headway. She thought it was unfair that it was taking so long to process the payments, and said these problems were adding to the stresses she already faced as a mother, as well as making it more difficult for her to pursue her education.

We spoke to a program supervisor about the problems, who reviewed Amy's file to see what was causing the delays. He found that the partial payment in February was caused by errors in their computer system. He also found that the problem with the March payment was that they hadn't received the second page of a form, and it was this page that contained the information about three of her four children. He was able to arrange to get the necessary information confirmed by phone so that the full payments could be issued.

Less than a month after calling us, Amy's childcare provider was paid the amount owing, which was approximately $800. We also gave Amy contact information for the childcare resource and referral centre in her area, since its staff might be able to help if she ran into problems when she next applied for the subsidy. She thanked the ombudsman officer who had investigated her complaint, saying that it was only after approaching our office that anything was done to sort out her problem.

Man gets apology and waived fees after complaining about FMEP decision

Family Maintenance Enforcement Program

Brad came to our office because he thought staff at the Family Maintenance Enforcement Program (FMEP) had been unfair to him when they allowed his ex-wife to retract her decision to forgive the maintenance arrears he owed her.

Brad and his ex-wife Ava signed a formal document in which she agreed to forgive approximately $10,000 in maintenance arrears that Brad owed her. When the FMEP was informed of this agreement, they removed the arrears from Ava's account. However, about a month later, Ava changed her mind. She told the FMEP that she no longer wished to forgive the arrears, and so they restored them to her account. This was contrary to an FMEP policy that said they would not pursue arrears that had been removed after a recipient agreed to forgive them. When Brad attempted to dispute FMEP's decision to reinstate the arrears, they told him that the agreement he'd had with Ava was not legally enforceable because it was not properly registered. Brad questioned why that mattered, since the FMEP's policy appeared to apply whether or not there was a legally enforceable agreement.

We had extensive discussions with the FMEP regarding Brad's situation. As a result, the director of maintenance enforcement reviewed his complaint, and clarified that although the agreement may not have been legally enforceable, it could still have been treated as an agreement. The director explained that the FMEP's primary reason for deciding to restore the arrears was that they had not properly informed Ava of

the applicable policy, and of the consequences of her decision to forgive the arrears. The director believed that since the policy had irrevocable consequences, it was imperative that recipients be fully informed before finalizing any decision to forgive arrears.

While we agreed with the director on this point, we questioned whether, in this case, Brad had been disadvantaged by the FMEP's apparent failure to fully inform Ava. It appeared Brad had also incurred legal costs due to the program's failure to provide him with a clear explanation for its decision.

At our request, and as a means of settling this matter, the director agreed to issue Brad an apology, and to waive approximately $1,400 in default fees the FMEP had assessed during the course of the dispute. The director also agreed to revise FMEP policy in order to ensure that their clients were properly informed of the consequences of a decision to forgive maintenance arrears. We considered these actions to be a reasonable response to Brad's complaint, and so we closed our file.

Adopted baby gets medical coverage after delay

Medical Services Plan
Lower Mainland

Brian contacted us because he was having problems getting medical coverage for the baby he and his wife were adopting from the United States.

Brian and his wife brought their new son to Canada in August 2006. In September, Brian applied through his employer to add the baby to his medical services coverage, and provided them with copies of letters confirming that he and his wife were in the process of adopting. As part of this process, Brian also needed to submit a form to Health Insurance BC (HIBC), which is the agency that administers the Medical Services Plan (MSP). Unfortunately, Brian sent HIBC the wrong form. His employer also delayed authorizing HIBC to add the baby to Brian's coverage, so that by December, the baby still wasn't registered.

After we spoke to HIBC about Brian's complaint, they contacted his employer and received approval to add the baby to his account. HIBC then gave Brian retroactive coverage for his son from August until February. This meant Brian could be reimbursed for the money he'd paid for his son's doctor's visits during that period.

However, HIBC couldn't provide coverage for the baby beyond February because Brian had not given them proof of his son's immigration status. To be covered by MSP, a person must be a Canadian citizen or lawfully admitted to Canada as a permanent resident. When Brian originally brought his son across the border, the baby automatically received a six-month visitor's visa. However, in order to stay in the country longer than six months, a person must be authorized by Citizenship and Immigration Canada. Since at that point, Brian hadn't yet extended his son's visitor status, he was unsure how to proceed.

However, through our investigation, we discovered that it was not clear HIBC had told Brian about the requirement to submit immigration papers for the baby, or of the consequences of not doing so. After we discussed these concerns with HIBC, they agreed to extend the baby's coverage so that Brian had time to

obtain and submit the necessary documents. They also provided a Personal Health Number (PHN) for the baby, and wrote to Brian to explain exactly which immigration documents he would need to extend his son's medical coverage further.

Brian said he was grateful for the help of our office in facilitating the extension of health care coverage for his son.

Investigation leads to better food distribution at youth custody centre

Prince George Youth Custody Centre
Northern B.C.

Our staff regularly visits the province's three youth custody centres as part of our office's mandate to ensure fair treatment by public authorities for everyone in British Columbia.

During a visit to the Prince George Youth Custody Centre (PGYCC), residents raised two issues with us that later led to positive changes.

One of the problems was that they didn't feel they were getting enough to eat. They explained that the centre's programming was active and so they were often hungry between meals. Residents said that when they raised their concerns with the centre, staff told them that the available food was nutritious and met the standards in *Canada's Food Guide*.

We didn't think this was an adequate response to the residents' complaints, so we began an investigation into the steps the PGYCC was taking to ensure that the young people in its care were receiving enough food.

In response to our investigation, the Youth Justice Division of the Ministry of Children and Family Development conducted a review of food services in the province's three youth custody centres. While the ministry concluded that the food provided at all three custody centres met or exceeded both the standards in *Canada's Food Guide* and provincial requirements, it also implemented the following changes:

- It created a new provincial policy to give staff access to supplementary food items for distribution to residents. This change was incorporated into the operations manual for provincial youth custody programs and in the orientation booklet that each young person receives when he or she is admitted to a youth custody centre.
- PGYCC added an afternoon snack of either fruit cups or granola bars.
- Specific questions about food quantity were added to the exit survey that is given to young people who are in custody for more than 30 days. (The survey already included questions about food quality.)

Another problem young residents brought to our attention concerned how extra food was distributed.

Most meals at PGYCC are served on pre-portioned food trays. However, certain items, such as soup and milk, are served in larger containers and sometimes there are leftovers.

Residents complained that this extra food was being distributed only to the young people who had earned the most points for good behaviour, rather than to anyone still hungry after finishing a meal.

We were concerned that the centre was potentially using food as a reward for good behaviour, which is against provincial policy.

When we talked to centre staff about how they could fairly distribute extra food, they expressed concerns that some residents might intimidate others to obtain the extra food, or retaliate against those who requested extra.

Through our investigation, we learned that staff at both the Victoria Youth Custody Centre and the Burnaby Youth Custody Centre distributed extra food to residents who request second helpings. We asked them whether they ever had problems with bullying or victimization as a result. They said that while they watched for these problems, food was available in good supply and they didn't feel bullying for food was a problem.

As a result of our investigation into the concerns raised, the PGYCC discontinued the distribution of extra food to residents with the most points. The centre has since implemented a new process, which allows the supervising staff person the discretion to distribute extra food items as requested, and when it will not contribute to the victimization or otherwise compromise the safety of youth.

We would like to commend the young people who spoke to us about a situation they felt was unfair. Their actions led to positive change.

Since we believed these steps responded adequately to the complaints raised, we closed our files. However, we would like to commend the young people who spoke to us about a situation they felt was unfair. Their actions led to positive change. We also appreciate the cooperation of the Youth Justice staff at the Ministry of Children and Family Development, in addressing these concerns to ensure that youth in custody centres are treated fairly.

Case

Call to our office results in new hearing for tenant

Residential Tenancy Branch
Lower Mainland

Ms. A, an elderly woman, called us because the Residential Tenancy Branch (RTB) had declined to adjudicate her dispute with her former landlord.

When Ms. A applied to the RTB for arbitration of a dispute with her former landlord, a telephone hearing had been scheduled but no one called her. When she later called to ask them what had happened, they said her case had been dismissed and she would have to re-apply. Since she had not been able to participate in the hearing, she filed an application for review of the RTB's decision, but it was denied.

Ms. A subsequently learned that she was supposed to have called in to the telephone hearing, but since the RTB had not provided her with any instructions on how to do this or a number to call, she was unable to do so. She thought it was unfair that the RTB's error had prevented her participation in the hearing, and wanted the opportunity to have her dispute heard.

We called the RTB to discuss Ms. A's complaint, and reviewed documents and information from their dispute resolution file. We found that the file did not contain a copy of the "Notice of a Dispute Resolution Hearing" addressed to Ms. A. This notice is the document that contains the instructions and pass code for dialling in to a RTB telephone conference hearing.

When we discussed this with the RTB's executive director, she reviewed Ms. A's case and found that while they had sent her a notice, it was mailed to the wrong address and returned. The RTB's dispute resolution officer had not noticed this when she considered Ms. A's request for a review.

The executive director acknowledged that the RTB's error had prevented Ms. A from participating in the scheduled hearing. Since Ms. A had not participated, the dispute resolution officer had dismissed her application without making any findings, so she still had the option of submitting a new application for dispute resolution.

Given the circumstances, the executive director said the RTB would apologize to Ms. A and arrange for her to make another application for dispute resolution. Because Ms. A had told us she was on a small pension, we asked the RTB if there was any way they could cover her mailing costs for the new hearing, which were about $100. The RTB agreed to cover both her mailing expenses and the application filing fee, as well as to reimburse her for the costs she incurred in serving the respondents for the original hearing.

Ms. A thanked us for our help with getting her a new hearing. We appreciated the RTB's cooperative approach to resolving this complaint.

Homeowner wants larger culvert installed to prevent his basement from flooding

Ministry of Transportation
Vancouver Island/Sunshine Coast

After living in his home for 35 years with no flooding problems, Albert's basement had flooded twice in the last two years. He believed this was due to recent local logging and land clearing, which was increasing water runoff and overwhelming the capacity of the existing drainage culvert that ran under a nearby road. He wanted the Ministry of Transportation to address these problems by putting in a larger culvert, and thought they were being unresponsive to his requests.

Albert had contacted the ministry after his first flood, which was about a year before he called us. Although Transportation staff had visited his property since then and had assured him they would take action, he was not aware of any plans to put in a larger culvert.

When we contacted the ministry's area operations manager, he assured us that they did plan to install a second culvert near Albert's home within two weeks. He said the reason for not installing a larger culvert was that this would trigger concerns about the effect on fish.

About ten days later, the ministry called to let us know that additional culverts in Albert's area had been installed. In the course of that work, they had also determined that the existing, older culverts needed replacing. They said this would be done the following year, when it would not harm fish.

When is a Complaint Ready for Investigation?

In general, we expect that people will have attempted to resolve their concerns with the public agency involved before we commence an investigation. We do this because we think that an agency should have the chance to resolve a concern internally before we pursue the matter. In order to determine whether a complaint is truly ready for us to investigate, we often invest considerable time in finding out whether there are appeal and complaint mechanisms that the person contacting us has not explored yet. While this work may or may not lead to an investigation by our office, it does help people who sometimes are unsure of what they need to do to pursue their concerns. The following example provides a glimpse of this aspect of our work:

Bernard complained that the provincial government had acted unjustly many years ago, when it transferred ownership of a plot of land that his family had occupied, to a representative of the religious group to which his family belonged. Bernard believed the government was involved in this property transfer. He complained that his family had not been compensated for the loss of this land, which they had homesteaded over ninety years ago.

Although Bernard believed the government had been involved in the property transfer, he had few details regarding the circumstances surrounding this matter. He had not raised it with any provincial agency, nor had he asked the government for compensation.

Based on similar investigations we had conducted, we were able to advise Bernard on how to contact provincial agencies that might have relevant information. With that information, he and his agent would be able to determine whether any documentation to support a claim for compensation from the provincial government existed. We suggested that if he was able to find any such documents, that he submit a written request for the action he sought to the government, through the Ministry of Attorney General. We let him know that he could come back to us if he had outstanding concerns about fairness after receiving a response from the government.

In this case, we closed our file because Bernard had not yet asked any provincial government agency to respond to his concerns.

We later called Albert, and he confirmed the installation of new culverts, and that he understood the old culverts would be replaced in the spring. He was hopeful that these steps would solve his flooding problem and thanked us for our help.

Error Correction Improves Credit Rating

Ministry of Small Business and Revenue

Interior

Angela contacted our office because she wanted to set the record straight regarding a debt mistakenly registered to her by the Real Property Taxation branch within the Ministry of Small Business and Revenue. The error was hurting her credit rating, and she believed it was the reason that her recent applications for a mortgage and a credit card had been rejected.

The problem started after Angela sold a house in 2002 and the branch registered a judgement against her for property transfer taxes that she apparently owed. Although she didn't owe the money and she was later able to resolve this issue with the branch, Angela's problems continued. In order to correct the error, the branch had issued a legal document called a "Notice of Satisfaction," which had become part of her credit history. This document made it appear to creditors as if the debt had in fact been owed, but that it had since been collected through a court judgement.

Angela wanted creditors to know that the debt had never existed in the first place. She tried to fix the problem herself by asking the branch to issue a "Notice of Discontinuance," but was told this would not be possible.

She then contacted our office, and we got in touch with the Revenue Collections Branch. A manager there said she would review her case to see whether the correct steps had been followed. As it turns out, they weren't, and the review resulted in the issuing of a "Notice of Discontinuance," as Angela had wanted. This meant that her credit history would show that the debt had never existed. Staff at the branch also assured us that they would review their procedures in an effort to prevent a similar error from happening again, and that they would make sure that the credit reporting agency Angela had dealt with had the updated information as well. Angela was happy to get this news.

Complaint helps improve information provided by government agents

Residential Tenancy Branch

Vancouver Island/Sunshine Coast

Bob was frustrated when he contacted our office because of the way the Residential Tenancy Branch (RTB) had arbitrated a notice to vacate that he had given his tenants.

Bob's tenants had filed an application for arbitration after receiving the notice to vacate. An RTB arbitrator had reached Bob by telephone at his office to conduct the hearing, but she had not been able to contact the tenants. Based on the information available to her, the arbitrator awarded Bob an order of possession for the property. The tenants then requested a review of the arbitrator's decision on the grounds that they had been

unable to attend the hearing for reasons beyond their control. When Bob contacted us about a month later, their request for review had been granted, but a new hearing had not yet been held. He thought the length of time the process was taking was excessive, especially since the tenants had stopped paying rent.

Bob was also concerned about what he saw as other problems with the RTB's process. He told us that he had not been served with the original hearing documents and it was only by coincidence that he had been available when the arbitrator had telephoned. As well, he said he had heard that the tenants had not paid the required arbitration application filing fee. In that case, unless the fee had been waived, the matter should not have gone to arbitration.

When we contacted the RTB, they told us the tenants had withdrawn their application for review and left the premises. While Bob confirmed that the tenants had moved out, he remained concerned about the way the RTB had conducted the arbitration process, and so we continued our investigation.

We reviewed the RTB's arbitration documents as well as relevant provisions of the *Residential Tenancy Act* and the RTB's Residential Tenancy Policy Guideline. We also discussed the complaint with the RTB's executive director, who reviewed the process they had followed. She later told us that the tenants had filed their arbitration application through a government agent's office and that in this case, not all the necessary information had been communicated. For example, the RTB had set an arbitration hearing date even though the tenants had not paid the application filing fee. The tenants had not picked up the hearing document package and, therefore, had not served Bob with the necessary documents and notice of the hearing. This explained why neither Bob nor the tenants had been aware of the hearing date.

The executive director agreed to send Bob a written explanation and apology. As well, in response to the issues raised by his complaint, the RTB wrote a new set of instructions for government agents that set out both their responsibilities and those of the RTB staff. The RTB also made some changes in how it scheduled hearings. These actions both addressed Bob's particular issues, and helped improve the RTB's processes more generally, so we were pleased to close our file on this complaint.

Senior gets reimbursement after letters go astray

Shelter Aid for Elderly Renters
Interior

Beth contacted us because she had not received a response to letters she had written to the Shelter Aid for Elderly Renters (SAFER) program. The SAFER program assists B.C. seniors on low to moderate incomes by providing them with monthly rent subsidies. Beth had sent one of her letters a year before she called us, and another several months before her call. The purpose of her letters was to request that her mother be reimbursed for the years that she may have been eligible for SAFER benefits but had not collected them.

When we contacted BC Housing, which is the agency that runs the SAFER program, they said that while they had other correspondence on file relating to Beth's mother, they had no record of the particular letters Beth was referring to. While we were unable to determine what had happened to the originals of these letters, we did fax copies of them to SAFER. They then forwarded the letters to the program's eligibility committee, which reviews special circumstances regarding eligibility for SAFER subsidies. The committee

agreed to pay Beth's mother a retroactive payment for one month, as this was the maximum allowed under the legislation governing the program. BC Housing also sent her a letter, explaining the reasons for the payment.

Ministry changes its public information about tax deferment program

Ministry of Small Business and Revenue

Vancouver Island/Sunshine Coast

Adele contacted us because she thought the Property Taxation Branch of the Ministry of Small Business and Revenue was taking too long to process her tax deferment application. Property tax deferment is a provincial government program that helps qualified people who are either disabled or older than 55 to pay the taxes on their homes through what are effectively low-interest loans. Approved applicants are able to defer their property taxes until they either sell their home or die. In the meantime, the property taxes are paid by the provincial government. Applications are made either through municipalities or Service BC offices.

Adele had submitted her application to the program at the end of May, well ahead of the December 31st deadline. She did so expecting that it would be approved before the scheduled sale of her home at the end of November. However, when she called her municipality in October, Adele learned that while they had forwarded her application to the property taxation branch in June, the branch had not yet processed it. Municipal staff also told her the branch had a backlog of applications and that if her application was not approved by the time her taxes were due, she would have to pay a 10 per cent late fee on her property taxes. In her case this would be more than $150.

When we contacted the branch to discuss Adele's complaint, staff confirmed that they were struggling with a large backlog because of a 200 per cent increase in the number of submitted applications. They also told us they were implementing a new computer system and acknowledged that there had been errors in handling Adele's application. We learned from them that when homeowners sell their property before their application is approved, the sale cancels their application. Because applications are property-specific and can't be transferred, branch staff said they usually advise taxpayers not to apply for deferment in the same year that they are contemplating selling their property.

After discussions with our office, the branch's executive director wrote to Adele and told her why they had such a backlog. She also acknowledged the errors in processing her application that caused further delays and apologized for this. By the time the branch discovered the error and was ready to pay her property taxes, Adele's house had been sold, which meant she was no longer eligible for tax deferment on that property. The executive director committed to changing the branch's application process so that similar problems were less likely to recur. At our suggestion, she also agreed to amend the program's brochure and application form so that they advised people who were contemplating selling their property within the next six months that applying for deferment was not recommended because of the time it would take to process their application. The executive director later told us these changes had been made, and would also soon be made to their online materials.

While it was unfortunate that Adele's application could not be processed before the sale of her house, we were glad that the branch agreed to change the information it provided to the public so that others would be less likely to encounter this problem in the future.

BC Hydro changes security deposit practices

BC Hydro

Sometimes a single complaint can point to an overall process that we think we should look at. This is what happened when a person brought the issue of BC Hydro's security deposit practices to our attention.

Prior to August 2007, BC Hydro routinely required people opening new residential accounts to pay a security deposit that it would refund one year later, if the person had proved creditworthy. How much any person had to pay was based on previous usage. In the case brought to us, the individual had paid almost $300. Only if customers questioned the requirement for a security deposit would BC Hydro offer them other options. The other options were to provide a reference letter from another utility, or to undergo a credit check at their own cost. If BC Hydro was satisfied after receiving the letter or the credit check, it would return the customer's security deposit.

We discussed with BC Hydro whether it was fair to offer these options only to customers who objected to the deposit requirement or said they couldn't afford it. As a result of our discussions, BC Hydro reconsidered its practice, researched the practices of other utilities and initiated discussions with its service provider, Accenture Business Services for Utilities. BC Hydro then agreed to change its practice on security deposits. Now, BC Hydro tells all its new residential customers, not only those who voice concerns, that they have the choice of providing a security deposit, undergoing a credit bureau check or providing a reference letter from another utility. BC Hydro staff said they tell new customers that their preference is to obtain a satisfactory Credit Bureau check (at BC Hydro's expense). We also confirmed that customers may also be given the opportunity to pay the security deposit over three or six months.

We were pleased to be able to work with BC Hydro on changes that not only resolved the individual complaint, but which also enabled improved service to many future BC Hydro customers.

Case Summaries

Senior citizen gets bus pass – program makes changes

Bus Pass Program, Ministry of Employment and Income Assistance
Interior

Alice, a senior citizen, contacted our office because she was annoyed and angered by the response she received from the provincial bus pass program, which provides subsidized annual bus passes to low-income seniors and people with disabilities.

In November 2006, she sent in her application and the $45 fee, thinking that she would receive her 2007 pass in time for the beginning of the New Year. She did receive her pass a few weeks later, but when she tried to use it in January, a driver pointed that it was only valid until the end of 2006. Since this was not what she had intended, she called the program to get it fixed. She felt she was treated rudely by the person who answered her call, and was told that in order to get a 2007 pass, she would have to reapply and pay another $45. When she called back to get the name of a supervisor, she was asked to send her concerns in writing, which she did. Although Alice sent her registered letter in mid-January, she had not received a response by the time she called us in March.

We contacted the program and spoke to a supervisor, who was very sorry to hear about the way Alice had been treated. The supervisor was also concerned that there was no record of Alice's letter being received. She looked into this and determined that the letter had probably been lost because the supervisor's name was incorrect, and the program's name was not included in the address. The supervisor promptly contacted Alice and apologized to her for the service she received. She issued Alice a bus pass for 2007, and also took action to ensure the problems she had encountered would not happen again.

With input from our office, program staff revised the application form so that it was made clear to which calendar year the pass would apply. They also improved their computer system so that it was possible to tell which employee a client had spoken to and what issues were discussed. They also began advising clients to include both the program name and address on their correspondence to them.

Alice was very pleased with this outcome.

Status of debts clarified

Insurance Corporation of British Columbia (ICBC)

Bill came to us because he was worried that the Insurance Corporation of British Columbia (ICBC) was still trying to collect a debt of $2,500 from him, even though he'd gone bankrupt.

While our investigation revealed that ICBC was no longer taking collection action against Bill, they had not informed him of this.

When we contacted ICBC about Bill's complaint, we learned this was because they had not yet processed the discharge of his bankruptcy. After our discussions with them, ICBC prioritized the processing of Bill's discharge and wrote him to confirm that he didn't owe them any more money. Their letter also provided a detailed breakdown of a payment that Bill had made since his bankruptcy, and confirmed that it was applied to charges he incurred after he filed for bankruptcy.

Bill was glad to have his situation clarified, and thanked us for our work.

Dialysis patients get better bus schedule

Regional District
Vancouver Island/Sunshine Coast

Anita called us on behalf of her husband, who was receiving dialysis treatment three times a week in a community about a 30-minute drive from their home on Vancouver Island.

Unfortunately for him and many other local dialysis patients, HandyDart service was not available at the times when dialysis appointments were regularly scheduled. This made it difficult and expensive to get to the appointments, since patients were advised not to drive after dialysis, and taxi fare between the two communities could cost up to $30 one way.

HandyDart service is provided in Anita's community by the local regional district, in partnership with BC Transit and a private company. Anita had contacted the regional district about her scheduling concerns, but did not feel they were adequately addressed. She had also lobbied local and provincial politicians to expand the service.

We spoke to the manager of operations at the regional district about Anita's concerns. He told us that the district was well aware of these issues, and was already at work to expand the service, as its budget allowed. He also mentioned that it was a normal practice to spend discretionary funds in the transit budget on providing extra HandyDart service for special events. As well, he said that the Vancouver Island Health Authority, the dialysis unit and HandyDart were trying to come up with ways to better accommodate dialysis patients, possibly by grouping their appointments or changing the hours of the unit's operation.

Shortly thereafter, the district received additional funds to spend on public transit. It used some of this money to add another HandyDart trip three days a week, which Anita's husband and other dialysis patients were able to use to get to and from their appointments. The district also wrote to Anita to explain the plans for expanding HandyDart service in the future. Anita was pleased was this, and thanked the Ombudsman's office for our involvement in the resolution of her complaint.

Case

Driver with a disability gets his licence fee refunded

Insurance Corporation of British Columbia (ICBC)
Interior

Adnan called us because he thought it was unfair that he was made to pay $75 to renew a driver's licence that ended up being revoked after three weeks. He wanted our office to help him get his money back.

Adnan's problem started when he applied to renew his licence, which had expired almost three years before. He went to an ICBC driver licensing office, and was asked as part of the application process whether he had any medical or physical conditions. He disclosed that he did have a diabetes-related condition. He was then asked to have his doctor complete a medical examination form. He agreed to do so, paid the $75 renewal fee, and was given a temporary driver's licence. Three weeks later, Adnan received a letter from the Office of the Superintendent of Motor Vehicles (OSMV), letting him know he had been deemed medically unfit to drive, and asking him to surrender his licence.

Adnan did not dispute the medical assessment, but thought it was unfair that he had paid $75 for a licence that he ended up having for such a short time. He was not told at the time he applied for the licence that the medical assessment might result in its cancellation, and said if he had known that, he would have consulted his doctor before paying the renewal fee. When he asked ICBC to refund the fee, they said it would not be possible to do so.

When our office contacted ICBC, staff told us that licensing fees are governed by the *Motor Vehicle Act (MVA)*. While section 61 of the Act implies that ICBC has some discretion when deciding whether to refund licensing fees for cancellations, section 30 says no refunds of licensing fees are allowed if the licence is voluntarily surrendered, suspended or prohibited. Based on these provisions, ICBC had set a policy not to refund licensing fees under any circumstances.

As a result of our call, however, ICBC did consider Adnan's complaint, and decided to review this policy. In the meantime, they provided him with a full refund.

Staff also explained that their policy was based on the fact that it is the OSMV that is responsible for making decisions about whether someone is medically fit to drive, and therefore they did not think it was appropriate for their own licensing staff to speculate on what the OSMV might do. ICBC agreed that their communication with the public about these questions could be improved and that they would explore further ways to ensure that the public is given all the information needed to make informed decisions.

Adnan said he appreciated our help in getting his money refunded.

OSMV improves notice procedure

Office of the Superintendent of Motor Vehicles
Interior

Alec was very upset when he contacted us because he thought it was unfair that the Office of the Superintendent of Motor Vehicles (OSMV) had not told him earlier that he would have to participate in a responsible driving program before he could get his driver's licence back.

A year earlier, Alec had pled guilty to an alcohol-related driving offence and was sentenced to a one-year driving prohibition. When, at the end of that time, he started looking into getting his licence back, he learned that the OSMV would require him to take a Responsible Driver Program (RDP) before re-instating his licence. He thought it was unfair that he hadn't been told of this sooner, since if he had, he could have satisfied the requirement while he was still under prohibition. The lack of notice was a particular problem for him since he was unable to work without the use of his car.

In B.C., everyone convicted of certain alcohol-related *Criminal Code* offences is required by law to complete the Responsible Driver Program to the satisfaction of the OSMV. The process is supposed to work as follows: When someone is convicted, the court registry prepares a certificate of conviction and forwards a copy to the Insurance Corporation of British Columbia (ICBC), usually within two to three weeks. ICBC normally takes approximately two weeks to process the certificate, update the driving record, and send the person a "Notice of Prohibition," which informs them of the RDP requirement. The OSMV is electronically notified when the driving record is amended, and then sends a letter to the person explaining the RDP requirement, with a registration form. If the process works as intended, the driver should receive notice of the RDP requirement with enough time to complete the course before the driving prohibition is over.

In Alec's situation, we learned that the problem had occurred at the court registry, where, due to human error, the certificate had not been created or forwarded to ICBC or the OSMV. When Alec asked ICBC about getting his licence back, they noticed the error and the court registry created the certificate, one year late. This action alerted OSMV that Alec was required to take the RDP. It was when Alec received this notice from the OSMV that he came to us.

In our discussions with the court registry, we learned that all court registries in the province had recently been given the ability to run a regular computer report tracking the number of convictions and the number of certificates. By doing so, staff would be alerted to any certificates that had not been issued, and be able to correct the error promptly. The court registry involved in Alec's situation told us that in response to his complaint, it was now running this report weekly.

We told Alec that while it was unfortunate that his certificate was not produced when it should have been, the OSMV had not been aware of his conviction until the certificate was created, and the court registry had learned from its mistake, thereby improving its process for the future. Given that these changes had been made, and that Alec had been able to complete the RDP within about a week of contacting us, we ended our investigation of his complaint.

Alec was very thankful for the help of our office, and also glad to hear that although we were closing his file, we would continue to follow up with the OSMV about how its processes could be improved. The OSMV committed to exploring options with the courts to determine whether convicted drivers could be informed of the RDP requirement earlier in the criminal process. The OSMV also changed the wording of its notice to drivers who are given an Administrative Driving Prohibition to let them know that they may have to participate in the RDP. Finally, Court Services sent out a memo to all court registries advising them to run the new report daily.

OSMV improves form given to people required to take re-examination road tests

Office of the Superintendent of Motor Vehicles

Interior

Betty, a woman in her eighties, complained to us that the Office of the Superintendent of Motor Vehicles (OSMV) had required her to take a road test after receiving an unsolicited report about her driving abilities. Betty also complained that she had not had an opportunity to provide information to the OSMV about its decision to require the road test.

When we contacted the OSMV about Betty's complaint, staff told us that when reviewing an unsolicited report about someone's driving abilities, their adjudicators consider a number of factors, including the credibility of the person making the report, the content of the report in the context of the entire driver's fitness file, and the details of the report itself. In Betty's case, the RCMP had followed up after a member of the public had contacted them about her driving. The RCMP recommended that she be re-tested. The OSMV must balance the public's need for safety with an individual's need for mobility, and its staff maintained that a road test provided the best assessment of Betty's driving ability.

The letter that the OSMV sent Betty to notify her that she would have to take a road test provided a contact number that she could have called to ask about how to provide input to the OSMV regarding its decision. This phone number is answered by the staff of the Insurance Corporation of British Columbia (ICBC), who will transfer calls about road test re-examination notices to the OSMV for response.

When we reviewed the form that OSMV sends to drivers about re-examination road tests, we thought this contact number could be made clearer. We brought this to the attention of the OSMV staff, who agreed to revise the form. This form has since been amended to more explicitly refer people to the "Customer Contact" number if they have questions about the notice or the re-examination process.

While we did not end up agreeing with Betty that OSMV had treated her unfairly, her complaint nevertheless led to improvements in how OSMV communicates with the people it requires to take re-examinations.

OSMV agrees to pay towing and storage fees

Office of the Superintendent of Motor Vehicles
Lower Mainland

During the course of one of our investigations, we noticed a lack of clarity in the information the Office of the Superintendent of Motor Vehicles (OSMV) gives to people who are seeking reviews of vehicle impoundments.

Audra's car had been impounded by the OSMV after she had allowed her son to drive it. Believing the OSMV's decision unjust, she applied to have it reviewed. In doing so, she checked a box on the OSMV application for review that indicated she had exercised care and diligence in allowing her son to drive her car. She did not realize that by checking the box in that part of the form, she was indicating that her application was being submitted under subsection 104.8(1)(d) of the *Motor Vehicle Act*. This section of the Act says that impoundment fees will not be refunded if the owner of the car has exercised care and diligence when allowing another to drive it. Although the OSMV did agree to reverse the impoundment, it did not release her from responsibility for the towing and impoundment fees charged by the towing company.

When we examined the application for review form, we found it unclear, and raised these concerns with the OSMV. We questioned whether Audra was truly aware that by checking that box, she became ineligible for relief from the fees. We also noted that she had attached to the form a letter asking for both a review of the impoundment and relief from the fees.

At our request, the OSMV reviewed the circumstances surrounding Audra's application and the form itself. Due to the form's lack of clarity and the information that Audra presented, they agreed to accept responsibility for all the towing and some of the storage fees. Since we regarded this a reasonable response to Audra's complaint, we closed our file.

On a broader level, the OSMV also agreed to develop additional material to give to those asking to have an impoundment reviewed. Providing more information on the consequences of choosing particular grounds for disputing impoundments should reduce the potential for similar complaints in the future.

Case Summaries

Errors adversely affect student's credit rating

StudentAid BC
Vancouver Island/Sunshine Coast

Aidan contacted us with a complaint about StudentAid BC, a branch of the Ministry of Advanced Education.

Aidan was at school full-time, and also had a student loan. As with other full-time students, he was not required to make payments on his loan, as long as he regularly confirmed his student status by submitting a certificate to the B.C. Student Loan Service Bureau (BCSLSB). In 2006, Aidan had some trouble submitting the certificate that covered his period of study, but this was eventually resolved, and BCSLSB had told him he did not have to make payments on his student loan. When he called us, however, his credit record was still showing that he owed five months of arrears for that period of study, which was very harmful to his credit rating. StudentAid BC had denied his request to amend his records.

When we discussed Aidan's concerns with StudentAid BC, they in turn contacted the BCSLSB. We learned that the certificate Aidan had submitted was for a program that is not designated by StudentAid BC and, therefore, BCSLSB should not have processed it. When BCSLSB staff found the error, they reversed the certificate, but in doing so, also mistakenly reversed another certificate that Aidan had submitted when he began a later period of study in a program that was designated. As a result, Aidan's loan appeared to be several months in arrears and interest charges were accumulating.

After reviewing the situation, the manager at StudentAid BC told us that in view of the fact that the BCSLSB had processed the certificate for the first period of study, even though they should not have done so, StudentAid BC would honour it. As a result, Aidan's current status as a full-time student was accepted, the interest charges were reversed, his loan was once again in good standing, and the adverse effects on his credit record were corrected. The manager also sent Aidan a letter, apologizing for the errors and confirming the steps taken to remedy the situation.

Since these steps resolved the complaint Aidan brought to us, we closed our file.

Student can afford to return to school after debt reduced

StudentAid BC
Vancouver Island/Sunshine Coast

Beverley called us because she thought StudentAid BC, a branch of the Ministry of Advanced Education, had unfairly denied her application to a new provincial student loan reduction program.

While Beverley had originally enrolled in a one-year certificate program that was not eligible for the loan reduction program, she later switched to a bachelor of arts program that was eligible. However, StudentAid BC had ruled that they had not been told of her program change in time to make her eligible for loan reduction for the 2004/05 academic year. Beverley thought her school had sent all the documents required to confirm her status, but as it turned out, StudentAid BC had not received them. Beverley also

maintained that StudentAid BC had lost or delayed the processing of some of this paperwork. By the time StudentAid BC was able to again review her application for loan reduction, all available funds had already been spent.

After we called StudentAid BC about this complaint, their appeal unit reviewed Beverley's situation, and contacted her school. After reviewing her transcript and other documents, staff at the appeal unit concluded that Beverley had been enrolled in an eligible program for the 2004/2005 year and had successfully completed her studies. StudentAid BC approved Beverley's application to the B.C. Student Loan Reduction Program, which meant that she received more than $6,500.

Beverley later called our office to confirm that she'd received the money, and to say that she was very grateful for our help. She also told us that because she now had less debt to pay, she could afford to return to her studies the following year.

Principal apologizes and reminds teachers to follow proper procedures when students report injuries

School District
Lower Mainland

Alex called us because he wasn't satisfied with how his son's school and school district had responded when the boy was hurt.

Alex's son had injured his wrist during a phys-ed class. Although the boy reported the injury to his teacher, he was not given first-aid, and his parents were not notified. When he got home, Alex took him to the hospital, where they learned his wrist was fractured and needed a cast.

Alex complained to his son's principal about the student who had injured his son, and about what he felt was a lack of appropriate response by his teacher. About a month later, the principal let Alex know that he had taken action by speaking to the student who had injured his son. However, Alex was still concerned that proper procedures for responding to student injuries had not been followed, so he contacted the school district, but did not hear back from them.

When we called the school district to raise the father's concerns, they said they had not heard of the problem before. We later learned that this was because the person Alex had originally contacted was temporarily working elsewhere. In response to our call, the acting superintendent set up a meeting with Alex and the principal. As a follow-up to that meeting, the acting superintendent instructed the principal to remind all staff about the need to follow proper protocols when a student reports an injury. The principal also apologized to Alex and his son for the lack of thoroughness in dealing with the problem.

Case Summaries

School district explains why it won't provide boarding assistance

School District
Northern B.C.

A mother called us because she didn't think her school district had treated her fairly when responding to her application for boarding assistance for her daughter.

Beryl had sent her daughter to an elementary school outside their district, as she wanted her to benefit from educational and extra-curricular opportunities not available locally. Since her daughter couldn't live at home during the school year, Beryl applied to the school board for funding to offset her daughter's boarding costs. In mid-July, she received verbal confirmation from the district that her application was approved, and was told that a fax would follow. She thought everything was fine until it came time to travel with her daughter to her school. At that point, Beryl realized that she had not received the formal approval, and so got in touch with the school district. The superintendent then gave her a letter that explained that the board does not pay for travel expenses for elementary students, if the student is within travelling distance of one of its schools.

Beryl didn't think the board had considered all the relevant information in their decision, so she appealed it. The board subsequently wrote to her to let her know they had upheld their original decision, however she didn't think they had given her a good explanation of why, and she complained to our office about that issue.

When we contacted the district superintendent about Beryl's complaint, he confirmed that, due to staffing shortages, there had been some irregularities in how her original application had been handled. These explained why she had been incorrectly told that her application was approved. The superintendent also confirmed that the board's policy did not provide for paying boarding assistance when an educational program was offered locally. He said the appeal had been discussed at a board meeting, but rejected on this basis, and that all the information Beryl submitted with her appeal had been considered.

We noted, however, that the board had not provided reasons for its decision in the letter it sent to Beryl. We asked the superintendent to send Beryl a more complete explanation of the reasons her appeal was denied, which he agreed to do. At our request, he also agreed that in the future, the school district would improve its process by sending more complete reasons to all those whose appeals to the board are denied.

Since this action resolved Beryl's complaint, we closed our file.

Health care concerns of German-speaking inmate addressed

Provincial correctional centre

Arnold, an inmate of a provincial correctional centre, contacted our office because he was in a great deal of pain, and didn't think he was receiving proper health care. His situation was complicated by the fact that he was from Switzerland and only spoke the Swiss dialect of German. He had brought his concerns to the attention of the Investigation and Standards Office (ISO), which handles complaints from inmates in B.C. corrections centres, but had been dissatisfied with its response.

With the assistance of a fellow inmate who spoke both German and English, Arnold, described his medical problems to us. One of them was a hernia he'd had for several months, which was growing and becoming increasingly painful. He also believed he'd been diagnosed with a blood condition that was not being treated, and had unexplained pain in his hands and arms. He did not know if this last problem had been diagnosed.

We contacted the health care manager at the correctional centre. He said Arnold had been seen by health care staff numerous times, but because of the language barrier, Arnold probably didn't realize he was soon scheduled for surgery on his hernia, and that his other symptoms had been diagnosed. We later learned that Arnold's belief that he was suffering from a blood condition was mistaken, again probably due to the language barrier. The pain in his arms and hands had been diagnosed as a symptom of arthritis, for which he was receiving ibuprofen.

While this was good news, it could not relieve Arnold's concerns unless he understood it. Our office made sure all this information was clearly conveyed to Arnold through his fellow inmate. To avoid further confusion and stress in the future, we asked the centre's health care manager if it was possible to arrange for Arnold to be accompanied to all his medical appointments by his fellow inmate, who could translate for him. The manager agreed. After speaking with us, the ISO also agreed to treat any future complaints from Arnold in a manner that would accommodate the fact that he did not speak English. Arnold had his scheduled hernia surgery a couple weeks later, and when we called to check, his fellow inmate reported that he felt better afterwards.

Overpayment refunded

Revenue Services of BC
Vancouver Island/Sunshine Coast

Ms. B contacted us because she believed she had overpaid her Medical Services Plan (MSP) premiums, and wanted a refund.

Revenue Services BC (RSBC), which is the agency that collects overdue bills on behalf of the government, had notified Ms. B that her account was in arrears. Since she had made her payments, she did not believe this was the case. When she contacted RSBC, they found that the bank where Ms. B had made her payments had mistakenly applied them to her son's MSP account instead of her own. While this error was corrected, Ms. B believed that she had overpaid in response to the notices of arrears. She called us because she had not been able to get RSBC to process her refund.

We discussed Ms. B's concerns with the senior manager at the Ministry of Small Business and Revenue, who was responsible for liaison with RSBC. The manager asked RSBC to review Ms. B's account and this review confirmed that Ms. B had overpaid by $54.

Ms. B was asked to let RSBC know whether she wanted to receive a refund or a credit against her next MSP bill. She chose a credit. However, she later received two MSP bills, neither of which showed that the credit had been applied.

We contacted the senior manager again. He told us that their current computer system would not allow RSBC to move Ms. B's credit onto the MSP billing system, so he instead arranged for RSBC to send Ms. B a refund by cheque.

As this was the last outstanding issue, we closed our file on this complaint.

Complaints process evaluated

College of Pharmacists
Lower Mainland

Allison called us because she was frustrated with the length of time the College of Pharmacists was taking to resolve her complaint about a pharmacist who she believed had inappropriately accessed her PharmaNet records.

Allison had first complained to the college in June 2003. She had been in touch with them several times since then, and was always told that the investigation of her complaint was ongoing. When she contacted our office in August 2007, the investigation had still not been concluded.

When we called the college about Allison's complaint, the deputy registrar acknowledged there had been unreasonable delay. To remedy the situation, she directed staff to make concluding Allison's complaint a top priority, and also confirmed that the investigation phase was finished. In order to ensure that such a lengthy delay would not occur again in the future, the college hired two additional staff members and also engaged a consulting firm to assist them in assessing their complaints review program.

We were pleased that the resolution of Allison's complaint to our office would help prevent the recurrence of similar problems.

Improved practices reduce delay for "CRA mismatch" problems

Revenue Services of BC
Lower Mainland

Ben called us because his tax refund had been wrongly withheld and he was having problems getting his money back.

Ben had been notified in January by the Canada Revenue Agency (CRA) that, due to a debt he allegedly owed the Medical Services Plan (MSP), they had put a lien on his future tax refunds. As a result, he did not receive his tax refund of almost $600. Ben did not actually owe the money to MSP, so he called Revenue Services BC (RSBC), which is the agency that administers MSP billing. He was able to prove to them that he did not owe the money, and learned that the debt actually belonged to someone else who had the same name as him. This was described as a "CRA mismatch."

Ben had been told in May that he would receive a refund, but still had not by the end of June. Since he had provided all the information RSBC asked for, he thought it was taking too long for him to get his money back. His messages to RSBC were also not being returned. This seemed unreasonable to him, and so he contacted our office.

When we called RSBC about Ben's complaint, a senior manager acknowledged the delay. He said a refund cheque would be issued within three business days and agreed to send a written apology for the difficulties Ben had experienced.

RSBC also committed to make changes that would help avoid similar problems in the future. They said that all CRA mismatches would now be sent to supervisors at the RSBC customer service centre, to ensure a timely response. RSBC also said they would hold training sessions with their customer service staff to remind them of the CRA's mismatch and refund process. Since these actions resolved Ben's complaint and were also likely to improve things for those in similar situations, we were happy to close this file.

Seniors' guide clarified

Ministry of Community Services
Vancouver Island/Sunshine Coast

Ms. H contacted us to complain about information she'd seen in the *BC Seniors' Guide* that she thought was misleading.

The Ministry of Community Services publishes both a paper and online version of the *BC Seniors' Guide*, as one way of assisting seniors to access the services available to them. Ms. H explained to us that within the print version of the guide, it said that routine eye examinations are a benefit for people 65 years old and over.

Based on her interpretation of the information in the *Guide*, she booked an appointment for a routine eye examination, assuming it wouldn't cost her anything. However, when she arrived at her appointment, staff told her there would be a $45 service fee. Ms. H told us she couldn't afford the fee, and so she had cancelled her appointment. She thought the *Guide* was misleading because it didn't mention any limiting conditions or costs that she might have to pay to have a routine eye examination. As well, she thought the term "benefit" was open to interpretation and so the *Guide* did not provide clear and definitive information for seniors.

We contacted the ministry about Ms. H's complaint. The program's director told us that the term "benefit" as stated in the *Guide* included medically required services delivered by a physician enrolled with the Medical Services Plan (MSP), or required services deemed to be a benefit and rendered by a health care practitioner

(such as an optometrist) enrolled with MSP. The director explained that routine eye examinations for patients 65 years old and older are a benefit under MSP and are paid according to the MSP fee schedule. However, the director noted that while the ministry pays a specific amount towards the cost of routine eye examinations, optometrists have the right to charge additional fees, as long as the patient is told about these before the service is delivered. The Ministry of Health is not responsible for regulating the establishment of additional fees determined by individual practices. Notwithstanding this position, the director agreed that the *Guide* could be made clearer on this point.

Following these discussions, the ministry wrote to Ms. H to inform her about coverage for routine eye examinations, and apologized for the inconvenience she had experienced, based on the wording in the *Guide*. The ministry also changed the online edition of the *Guide* to make it clearer that people over 65 years of age may have to pay a fee when going for a routine eye examination, and committed to amend the paper version when it was next printed.

We considered this a reasonable response to Ms. H's complaint and so closed our file.

Man receives apology and quick resolution

Medical Services Plan

Lower Mainland

Bud contacted us with a complaint about a medical claim he had made to Health Insurance BC (HIBC), which is the agency that administers the Medical Services Plan (MSP).

Bud explained to us that he had written to HIBC in July to ask if he was entitled to reimbursement for physiotherapy treatment. When he hadn't received a response after more than two months, he called them. Staff told him that he could expect to wait at least six months before he would receive a response. He thought he shouldn't have to wait that long for an answer, and called us in mid-September.

We contacted the manager of medical claims at HIBC. She said that Bud should have been responded to immediately, and that she would contact him directly to apologize and confirm that he was entitled to reimbursement for his physiotherapy treatments. She said they would process his claim as soon as they received his documentation.

Also as a result of our discussions with HIBC, staff reviewed Bud's account, and determined that he was entitled to reduced premiums. They credited his MSP account for almost $200 .

When we spoke with Bud again in October, he said that after talking with the manager, he had received a refund cheque for his physiotherapy treatments. He thanked us for our help and said he appreciated the apology he had received from the manager. He was pleased that he was able to resolve his initial concern about not being responded to within a reasonable time and that he was receiving a credit on his MSP account.

Medical coverage extended for woman waiting for work visa

Medical Services Plan

Lower Mainland

Anya contacted us after having problems getting her coverage under the Medical Services Plan (MSP) extended.

Anya was in B.C. on a work visa. Although it had recently expired, she had already applied to Citizenship and Immigration Canada (CIC) for an extension. Due to processing backlogs at CIC, she was still waiting to hear back from them. Meanwhile, she had also applied to extend her MSP coverage, which was due to expire shortly. However, a representative at Health Insurance BC (HIBC), which is the agency that administers MSP, had told her that her coverage could not be extended until her visa was renewed. Anya believed this was unfair, as she had no control over the delays at CIC.

We spoke to a director at the Ministry of Health, who told us that under current policy, Anya's MSP coverage could be extended if she could provide confirmation from CIC that her application was in process, or that she had "implied" status in Canada. We passed this information on to Anya, who followed up with CIC. She called back to let us know that CIC would not provide the required documentation. We verified this with CIC, and also confirmed that visa processing times were backlogged for several weeks.

In light of the processing delays and the difficulty in getting documentation from CIC, we asked the Ministry of Health to reconsider its requirements for extending MSP coverage in such situations. The ministry agreed to revise its policy, and said that if Anya, or others in similar situations, could provide a receipt showing payment of the visa renewal fee, that would be considered acceptable proof of an application for a visa extension. Since Anya had already given this to HIBC, her coverage was immediately extended for three months.

We were pleased that not only had Anya's individual complaint been resolved, but that the ministry had agreed to changes that would help others in similar situations.

Case

Northern man gets winter boots

Ministry of Employment and Income Assistance
Northern B.C.

Andrew, a resident of a northern community, called us because he needed winter boots. He could not afford them because he was on income assistance, and the Ministry of Employment and Income Assistance had turned down his request for the crisis supplement with which he had hoped to buy them.

His worker at the ministry had said it was up to Andrew to set aside money from his regular cheques to buy the boots, but when we investigated, it seemed that Andrew hadn't made his special circumstances clear. Andrew had size 15, double-wide feet. This meant winter boots would be harder for him to find and considerably more expensive than regular footwear. He had looked for boots in his size in local thrift stores, without success. Prices in regular retail stores ranged between $200 and $275. Because of this, it would be extremely unlikely that Andrew could put aside enough money from his income assistance cheques to pay for his own boots.

The ministry had also turned down Andrew's request because he'd recently received a $100 crisis supplement, which is the maximum annual amount allowed. He'd used this to buy clothing, since he knew it would not cover the cost of boots. He said he had not appealed the ministry's refusal of his second request for a crisis supplement because several of his previous requests had been refused. Still, Andrew believed that given the harsh winter climate of his community, it was reasonable for him to ask for suitable footwear.

While our office does not usually get involved in cases where a right to appeal has not been exercised, we made several calls to verify the local cost of the boots and the fact that Andrew would be unlikely to find them through any of the social service agencies, such as the Salvation Army. We asked the ministry whether, in unusual situations such as this, staff might have the discretion to issue additional crisis supplements for needed items that don't fit their standard categories. We also asked whether there was any information Andrew could supply that would support his request. The acting district supervisor agreed that in Andrew's situation, the boots could be seen as a health and safety need, and that his request could be reconsidered if he provided confirmation that community resources were unable to meet this need. He would also have to supply two cost quotes from stores. At our request, she agreed that Andrew could send this information to her directly. After receiving the information, the supervisor issued Andrew a crisis supplement for the boots, and we considered his complaint resolved.

MEIA makes extra effort to help man facing eviction

Ministry of Employment and Income Assistance
Lower Mainland

Adam called us late on a Friday afternoon in a desperate situation. He said he was disabled, had no money, and was facing eviction because he hadn't paid his rent. While he had called the Ministry of Employment and Income Assistance (MEIA) earlier in the week and made an intake appointment for the following Monday, he was desperately in need of immediate help.

When we called and spoke to the acting supervisor at Adam's MEIA office, it seemed that he had not fully explained to them the urgency of his circumstances. We asked if, despite the lateness of the hour, there was anything that could be done to assess Adam for assistance that afternoon. The acting supervisor said she would do whatever she could, and that if he could bring his identification, proof of residence and proof of imminent eviction to the office before 4 pm that afternoon, staff there would complete his intake assessment and help him if possible. We told this to Adam.

On Monday, we contacted Adam again. He confirmed that the ministry had helped him on Friday, and that as a result, he had been able to avoid eviction. We also called the acting supervisor to let her know we appreciated her quick and helpful response.

Complaint prompts changes to form used by people on income assistance

Ministry of Employment and Income Assistance
Lower Mainland

A woman wrote to us because she found a form used by the Ministry of Employment and Income Assistance to be confusing and inconsistent.

Barbara had applied to the ministry for status as someone with "persistent multiple barriers to employment" (PPMB). As part of that process, she had to have her doctor fill out a form that included questions about her medical condition. In order to be approved for PPMB status, a doctor must verify that the person's medical condition is expected to last for more than two years. However, Barbara noticed that the way the PPMB form presented the choices about the duration of the medical condition was confusing, and did not match either the requirements of the employment and assistance regulations, or the information on the ministry's website.

Barbara explained that as a result of the form's lack of clarity, the ministry had turned down her PPMB application. She then had to go back to her doctor and request him to fill out the form again, which she found both embarrassing and difficult. She thought improving the clarity of the form would help others avoid this type of problem. Barbara also believed that others who were eligible for PPMB status were likely being turned down because of the problems with the form.

We discussed Barbara's concerns about confusing and inconsistent wording with the ministry. Staff there agreed that the form was unclear and in need of revision. Due in part to the consultation with medical practitioners that this entailed, it took several months to make these changes, but the revised, much clearer form is now in use. We thanked Barbara for bringing this important issue to our attention.

Processing error causes long wait for cheque

Ministry of Employment and Income Assistance
Interior

Mr. B contacted us because after two months of waiting, he still had not received the reimbursement cheque for more than $3,000 that he was waiting for from the Ministry of Employment and Income Assistance.

The ministry had told Mr. B in June that he would get his cheque in four to six weeks. When he still hadn't received the cheque two months later, he made repeated calls to the ministry to find out why. Ministry staff kept telling him he just needed to wait another two or three weeks.

We discussed Mr. B's problem with the ministry's acting chief accountant, and also looked at the relevant documents. After reviewing the matter at our request, the accountant found that a processing error had caused the delay. As an immediate fix, the accountant arranged for Mr. B to be sent his cheque promptly. However, when it arrived, it was short by $50. This was due to another ministry error, which was subsequently corrected by issuing Mr. B another cheque. Mr. B was happy to finally receive his money.

More broadly, after this investigation, the ministry also changed how it handled calls to its Vancouver office about delayed cheques. Instead of telling clients to wait another two or three weeks, these calls were now to be promptly referred for internal investigation.

Ministry restores $20,000 in disability benefits wrongly denied to woman

Ministry of Employment and Income Assistance
Vancouver Island/Sunshine Coast

A woman with a disability and her lawyer complained to our office because the Ministry of Employment and Income Assistance incorrectly told her that receiving an inheritance meant she no longer qualified for benefits.

In late 2003, Ms. C, who was collecting disability benefits from the Ministry of Employment and Income Assistance, received an inheritance of approximately $28,000. When she informed the ministry of this, she was told that since she now had other means of support, her benefits would end and her file would be closed, although she could reapply after several months.

No one at the ministry told Ms. C that regulations allowed her to put her inheritance in a trust and spend it on specific expenses that would increase her independence, including medical aids, caregiver services, home renovations and education. Being able to spend her inheritance in this way would have greatly reduced the stresses she was experiencing due to her serious illness. It would also have allowed her to continue receiving benefits.

Because she did not know about the trust option, Ms. C's file was closed until she spent her inheritance and re-applied for benefits in 2005. She was also not told of her right to request reconsideration of the decision to discontinue her benefits.

After she started receiving benefits again, Ms. C learned from another source that she could have created a trust. She approached the ministry with this information, seeking to be paid compensation for the benefits she had lost due to their error. Ministry staff acknowledged they had not told her about the trust option, or her right to ask for reconsideration of the decision to discontinue her benefits, and apologized for their mistakes. They also informed her that staff had been given extra training in response to the errors. However, the ministry still refused to reconsider the decision to end her benefits, on the grounds that the deadline for reconsideration had passed.

When Ms. C then tried to have the ministry's decision not to pay her compensation reconsidered, the adjudicator told her that a decision not to pay compensation could not be reconsidered because that type of decision is not covered by the *Employment and Assistance for Persons with Disabilities Act* or its regulations. As no reconsideration was conducted, the chair of the Employment and Assistance Appeal Tribunal advised Ms. C that the matter was also not open to appeal.

After Ms. C and her lawyer got in touch with our office, we asked the ministry whether, given the circumstances and their acknowledgement of the mistakes, they could pay Ms. C for the months she had been incorrectly told she was ineligible for assistance. The Ministry's Legislation and Legal Services Branch reviewed Ms. C's concerns, and several weeks later, agreed that the ministry's actions were not consistent with the principles of administrative fairness, nor with ministry practice. The ministry agreed to pay Ms. C a total of $20,000. Seventeen thousand dollars represented the money she would have received had her benefits not been discontinued and approximately $3,000 was for the other costs she incurred as a result of not having received her disability benefits. The ministry also agreed that this money would be exempted for a reasonable period of time, so Ms. C could set up a trust.

Ms. C was thrilled with this result, and told us that receiving this money would mean that she and her mother would not be forced to leave their home.

Ministry reduces family's MSP debt and covers children's dental bill

Ministry of Employment and Income Assistance
Lower Mainland

After being turned down for a line of credit, Brigit had learned that she and her husband owed money to the Medical Services Plan (MSP). This came as a surprise to her, since she understood that her family was on premium assistance, and therefore did not have to pay premiums. She contacted us because she had been unsuccessful in her own attempts to straighten out her family's situation.

Brigit told us she had twice submitted her 2005 tax assessment and premium assistance application to MSP, but had yet to hear back from them. She also didn't think that MSP was taking into account the fact that one of her children was disabled, even though this influenced her family's eligibility for premium assistance.

Dental coverage for Brigit's children was another, related problem. Previously, they had been registered with the Ministry of Employment and Income Assistance's Healthy Kids Program (HKP), which helps low-income families pay for their children's basic dental care. When a family is on premium assistance, its

dependent children under 19 are automatically registered for the HKP. However, when Brigit had taken her children to the dentist, she'd found they were no longer covered by the HKP, and so she owed money for the care they'd received.

After Brigit called us, we contacted Health Insurance BC (HIBC), which is the agency that administers MSP, about her problems. Staff there then reviewed Brigit's documents and information, and confirmed that she was entitled to reduced premiums based on the disability credit that had not been applied. The MSP premium rates for Brigit's family were then adjusted retroactively, substantially reducing the debt that her family owed. Additionally, because she had been retroactively approved for premium assistance, the Ministry of Employment and Income Assistance arranged to pay her children's dental bill.

Since Brigit's reasons for calling us had been resolved, we closed her complaint.

Complaint results in changes to law on burial and cremation assistance

Ministry of Employment and Income Assistance
Vancouver Island/Sunshine Coast

When a man who was receiving income assistance through the Ministry of Employment and Income Assistance (MEIA) died outside B.C., his family couldn't afford to pay for his cremation, or to have his body transported back home. A friend acting on the family's behalf contacted us because he thought the ministry's policy on providing burials or cremation supplements when a client died outside the province was inconsistent with the applicable regulations.

The ministry's policy said that when a client died and his or her family couldn't afford to pay for burial or cremation, it would provide a supplement to assist with those costs. While the ministry's policy was to do so only when the client had died within the province, exceptions to this policy could be approved in certain circumstances. Although an exception was eventually approved in this case, after reviewing the ministry's policy and the regulations, we concluded that the policy was inconsistent with the applicable regulations. We discussed this matter at length with various ministry staff, and eventually suggested they consider amending their legislation. After ministry staff submitted several briefing memos to their review committee over a period of three years, a decision was finally made to approve revised legislation pertaining to providing burial or cremation assistance.

In June 2007, ministry staff informed us that the revised legislation had taken effect. We reviewed the revised policies that flowed from the amended legislation to confirm that there was consistency between the two. We told the family's friend that, based on our review, we were satisfied that there was now consistency between the ministry's legislation and policies on burial or cremation supplements. As we then considered this complaint resolved, we closed our file. The family friend told us he was very pleased with this result.

Benefits restored to single parent

Ministry of Employment and Income Assistance
Northern B.C.

Ms. G was a single mother and a person with disabilities. In December 2006, the Ministry of Employment and Income Assistance (MEIA) withheld her disability assistance cheque because she had received an inheritance, and staff wanted information to confirm her ongoing eligibility. For reasons that were outside of Ms. G's control, it took some time for her to obtain the information about her father's will that the ministry wanted. In the meantime, the ministry also withheld her January cheque. Ms. G said that although the ministry was aware that she was doing all she could to get them the requested information, staff closed her file without notice.

We contacted the ministry about Ms. G's complaint. After consulting with us, ministry staff determined that Ms. G was eligible for disability assistance throughout the period in question and agreed to issue payments to her that were equal to the amount she would have received in December and January. As a result, we considered the matter to be settled and closed our file.

City agrees to take enforcement action against trucker

Municipality
Interior

Bruce contacted us because he didn't think his city was doing enough about the noise and mess created by the logging trucks that drove by his home, which was on a truck route.

Bruce said the noise of the "Jake brakes" used by the truckers was disturbing him, and also violated the city's noise bylaw. He was frustrated because he felt he'd repeatedly brought his concerns to the city's attention, but the situation hadn't improved.

When we contacted the city, we learned that its staff had taken a number of steps in response to Bruce's complaint, including having bylaw officers monitor the area (no infractions were witnessed), writing to the local mill, asking nearby mills to put up posters about the noise bylaw, and periodically requesting the Ministry of Highways to perform spot checks. City staff explained that they didn't have the resources to assign a bylaw officer to stay in one place and wait for offences to happen. Another challenge the city faced was that since truckers are not required to stop for bylaw officers, it would be difficult for them to personally serve a trucker with a Municipal Ticketing Information (MTI).

However, during our investigation, we learned that the city also had the option under the *Community Charter* of issuing a bylaw offence notice. While this notice does not have the legal weight of an MTI, it is often just as effective. City staff agreed that if they were given details of an alleged offence (e.g., the name of the trucking company, a licence plate number, and the date and time it took place), they would issue a bylaw offence notice, as long as the complainant was willing to swear to the information in court, if necessary. The city's corporate services manager agreed to meet with Bruce to tell him all this.

We also learned during our investigation that private citizens can lay an information under the *Offence Act* themselves, by gathering evidence and then filling out what is known as the "long form." We gave Bruce information on how to pursue this option if he wished.

After relaying all this information to Bruce, and since we considered the city's response to his concerns reasonable and fair, we closed our file.

Good... better... best

Local government
Vancouver Island/Sunshine Coast

Change can happen as a result of complaints, even when the agency did nothing wrong in the first place. Complaints are not always fun to receive, but reviewing and responding to them can bring the benefit of enhanced practice.

Ms. D complained to us that her district had changed her address (for property tax records) on the basis of a phone call, and without notifying her. Ms. D hadn't moved, didn't want her address changed, and was inconvenienced by not receiving her tax notice. Worse, when Ms. D started to ask questions, she learned

her new address was that of an ex-colleague with whom she had had difficulties, and she got confusing and conflicting information about who had changed her address, and why. After several conversations with the district and the BC Assessment Authority (BCAA), Ms. D was upset and beginning to think that staff were covering up a mistake or a deliberate and malicious act.

It required patience, but we found out what had gone wrong. First, an employee had typed a wrong digit when entering an address change for a different property, which caused the new information to attach to Ms. D's property, in error. Then, both the district's and BCAA's records were amended, but at different times. Although the actual problem was not caused by a telephone change-of-address request, the district decided to change its practice as a result of the complaint. Now, that district accepts only written information to change its records of ownership. In this way there will always be a record of the transaction.

Sometimes you are your neighbour's debtor

Improvement District
Interior

Most people in B.C. live in towns or residential areas served by public water utilities. We open our taps and water comes out, so long as we have paid the bill. We do not have to think twice about who is maintaining or planning the water system or how the charges are calculated.

But a significant number of homes in B.C. are served by improvement districts, which are legal collectives of households in a specific geographic area. While they are an established form of local government, they are run mostly, or even only, by volunteer, elected members. The smallest domestic water improvement district of which we are aware serves five households. Some improvement districts serve several hundred, and many serve just a few dozen members. In practical terms this means that a few local residents have to be willing to stand for election, organize and run the water service, contract for billing and testing services, plan for repairs, get out waders and wrench when the pumphouse springs a leak, and deal with neighbours who don't like, or can't pay their bills.

Ms. F's house was in one of these small improvement districts. One of her neighbours was chair of the improvement district and another, the secretary. It seemed to Ms. F that everyone in this rural area was aware of everyone else's business, including the fact that she had not paid her water bill for 2007 and that the improvement district had disconnected her service. While doing without water service is a hardship for anyone, as the keeper of several dogs, rabbits and other animals, it was particularly difficult for Ms. F. She spoke to one board member and offered to pay $200 of her $800 bill, but was told her water would not be reconnected until she paid in full. She contacted us because she thought the improvement district had not given her an acceptable reason why it would not or could not reconnect until her whole bill was paid. She also disagreed with the improvement district about when and how her 2007 bill became overdue.

When we called the improvement district, we learned that it had no staff. The local resident who did the billings had gone south for a couple of months, and the secretary did not have all the bylaws. While board members can get advice by calling the Ministry of Community Development in Victoria, essentially they are on their own … willing local residents, volunteering their time to keep the system afloat and functional. With only about 50 households on the system, Ms. F's debt was two per cent of the district's annual revenue

and its capacity to cover this debt was limited. Board members were worried that the debt would mount if service was reconnected without full payment and they had previous, bad, experience with a longstanding, mounting debt.

Ms. F's situation was resolved. As a result of our investigation, the improvement district agreed to consider a payment plan proposal, and to think about how it could clarify its billing notices. Board members also said they would consider providing payment information to new customers, and offered to review their fee bylaws. Ms. F was able to borrow money to pay the bill, and her water was reconnected.

If there is a moral to this story, it is that it's a good idea to check things out when moving to a new house and opening new utility accounts. Previous experience may not be transferable. Not all electricity comes from BC Hydro, some places have no garbage pickup, and not all water comes out of water mains. Finding out what services exist, how they are billed and when they must be paid can save a heap of trouble later on.

Case S

Injured worker gets $24,000 to pay for his preferred retraining course

WorkSafeBC

Lower Mainland

Allan called us because he thought WorkSafeBC was being unfair by refusing to pay $24,000 toward the retraining course he wanted to take at a local college.[9]

As part of the plan for Allan to get back to work after an injury, WorkSafeBC had agreed in April that it would provide approximately $24,000 to fund his completion of a kitchen design correspondence course. But Allan had since decided that he wanted to take a similar course at his local college instead. Allan had repeatedly asked his WorkSafeBC rehabilitation consultant if this would be possible, and the consultant had indicated that it probably would. However when Allan first called us in July, he still had not received formal approval of his alternate plan. He was frustrated by the amount of time it was taking to approve his retraining plan, and pessimistic about his chances of success.

After we contacted WorkSafeBC about Allan's complaint, they did issue a formal, written decision, but it rejected his proposal. While we usually do not investigate the merits of WorkSafeBC decisions, in

Why delay matters

WorkSafeBC

Mr. D called us because it had been six months since WorkSafeBC decided his disabilities were permanent, and he had not yet been told why it was taking so long to decide the amount of his awards.

In December 2006, WorkSafeBC had ended payments to Mr. D for his "temporary" impairments (both his knees were injured) and referred his case to its disability awards division for a decision on what long-term awards to authorize.

During those six months, Mr. D had received no income support except for a pension of less than two per cent of his earnings, for an injury to his right knee 20 years ago. Mr. D told us he had been in contact with WorkSafeBC since December, but they had not given him any reason why the decisions on his awards could not be made.

After Mr. D called us in June, we contacted WorkSafeBC and learned that the information necessary to make decisions on Mr. D's awards had been on file for more than three months. While they could give us no explanation for the apparent delay in making these decisions, WorkSafeBC did begin work on the awards immediately. Three weeks later, Mr. D received cheques totalling $28,000. A letter explaining the details of the awards was to follow.

Mistakes happen and delay occurs, as many public agencies are faced with increasing demand for service and/or decreased resources. While our office understands those pressures, our focus is on the consequential effects on clients without income, which are significant, particularly in the case of WorkSafeBC, where interest on retroactive awards is only awarded in cases of blatant error. While work pressures can explain delays, they should not and cannot justify it, and its consequences should not be borne by the most vulnerable.

[9] In 2005, the Workers' Compensation Board began using the name, WorkSafeBC, and we have followed its practice. The Workers' Compensation Board of B.C. remains the agency's legal name.

this case, our office decided to do so, because the decision did not seem to consider whether Allan could use the already approved vocational money toward the college course he wanted, even though WorkSafeBC policy allowed for this.

In response to our investigation and at our request, WorkSafeBC decided to reconsider its decision, and eventually agreed to pay the approximately $24,000 in vocational benefits toward the kitchen design course Allan wanted to take at his local college.

Allan was relieved to have his problem resolved and grateful for the help of our office.

Ministry agrees to provide more information to unsuccessful applicants for tenure

Ministry of Tourism, Sport and the Arts
Interior

Angus contacted us because he didn't think staff at the Ministry of Tourism, Sport and the Arts had properly explained their reasons for denying his application for summer use of a tourist chalet on Crown land.

Angus was a tourism operator, and had been making use of the mountain chalet during the winter for years. However, when he later applied for permission to use the chalet in the summer, he was denied. Angus found this unfair, and didn't think the ministry staff had given him adequate reasons for their decision.

Through our discussions with the ministry and our review of their decision file, we learned that staff had contacted Angus and his consultant frequently during the review of his application. Angus was also aware that his application had raised concerns from the public as well as the Ministry of Environment, due to the chalet being located in an area of high-quality wildlife habitat. Although staff had not provided an extensive explanation for their decision, what they did provide was consistent with the concerns they had already communicated to Angus, and which Angus and his consultant had been attempting to address for some time.

However, we did note that the ministry had not sent Angus a copy of the document containing the reasons for its decision, although they had posted it on their website. These reasons provided more detail to support the ministry's decision. Although this information was publicly available, we asked ministry staff to consider amending their practices so that this document would routinely be sent to unsuccessful applicants. They agreed.

We also identified a third document prepared by the ministry, called a land use evaluation report. It contained the ministry's more comprehensive analysis of Angus' proposal and the factors that had led to its denial. Ministry staff explained that they had covered these factors in detail during telephone conversations and meetings with Angus. However, in the interests of transparent decision-making, they agreed that in the future they would supply more information to those whose applications were denied. Ministry staff sent Angus a copy of the report, and thanked us for our advice and assistance in improving their practices.

As we were satisfied that the ministry had responded appropriately to this complaint, we closed our file.

Beer money returned

Liquor Distribution Branch
Lower Mainland

Anna, the owner of a liquor importing business, complained to us that the BC Liquor Distribution Branch (BCLDB) charged her company for product that she had not imported, and for which her company had never been paid.

Anna's company became the authorized agent for an overseas brewery in 2004. Three years before this, the BCLDB had ordered approximately $4,000 worth of beer from the brewery, through its previous agent. The beer was sent to the BCLDB, but the agent subsequently went bankrupt. While the legalities of this were being sorted out, the beer went stale. BCLDB then ordered it to be destroyed.

When Anna's company took over as agent for the brewery no one at the company knew anything about this beer order. However, the BCLDB deducted the amount it had paid for the stale beer from other monies it owed Anna's company, even though she had nothing to do with importing it and was never paid for it. Anna understood that either the brewery or the former agent had been paid for the beer.

Anna had tried to resolve her problems with the BCDLB, but they told her to seek reimbursement from the brewery.

We contacted the BCLDB about Anna's complaint. After reviewing it, BCLDB agreed it would be fair to refund the money it had deducted. Anna confirmed to us that she had been fully reimbursed and was pleased with the resolution of her complaint.

Worker wants an explanation of why his benefit is not greater

WorkSafeBC
Lower Mainland

Arthur called us because he didn't think WorkSafeBC was paying him all the money he was entitled to, and he didn't know why.

When we called WorkSafeBC and spoke to a complaints officer, she told us that Arthur's benefits were based on his salary for the year previous to his accident, and that the information they had on file for him appeared to be incomplete. She said they had written to Arthur three times to get a more complete record of his earnings, but had so far been unsuccessful.

We told Arthur this, and he then tracked down the information WorkSafeBC needed and sent it to them. WorkSafeBC subsequently re-evaluated his benefits, and increased them by more than 12 times. They also sent him a letter of explanation.

Arthur was very thankful for the clarification and explanation we provided, and said he would now be able to get by on the cheques he would receive from WorkSafeBC every two weeks.

An explanation, 47 years after the accident

WorkSafeBC
Northern B.C.

Sometimes, even though our investigation does not substantiate a complaint, it reveals information which provides those concerned with an explanation and understanding of the matter which is at the heart of the complaint. This was the case with a complaint that Ms. E made to our office.

Ms. E's complaint concerned the Workers' Compensation Board (WCB), now operating as WorkSafeBC. Her first husband, Mr. A, had died in 1960 following an accident at his workplace. Ms. E said that she had not received any WCB benefits following his death and had not known that she could make a claim. She told us that she had contacted WCB and filed a claim in 1998, after seeing a newspaper article about the widows of men who had died as a result of workplace accidents. However, WCB denied her claim because it had not been made within the legislated time limit. The legislation in effect in 1960 said that a claim by a dependent had to be made within three years after the worker's death. By 1998, 38 years had passed since Mr. A's death.

Ms. E had appealed WorkSafeBC's decision to the former Workers' Compensation Review Board and its former Appeal Division. Both the Review Board (in 2000) and the Appeal Division (in 2001) confirmed the decision that her claim had not been made within the legislated time limit and was, therefore, statute barred. Ms. E complained to our office that the decisions were unjust.

Our review of both the Review Board and Appeal Division decisions did not reveal any procedural unfairness. Ms. E had been given the opportunity to make submissions. She had been represented at the Appeal Division by a workers' adviser, who had presented submissions and argument on her behalf. The decision-makers had considered the information that Ms. E had submitted. They had also considered and applied relevant legislation and WCB policy in reaching the decision that her claim was statute barred. In their written decisions, the vice chair of the Review Board and the appeal commissioner provided reasons for their conclusions. These conclusions and the decisions reached appeared to be consistent with the information before them. Although the decision-makers had sympathy for Ms. E's position, the legislation was clear and her application was out of time. There was nothing to indicate that the process had been unfair or not objective.

However, we did note that during the WCB review and appeal process, questions were raised about why a claim had not been established in 1960, given that the matter concerned a fatality, and WCB officials had attended the coroner's inquest. However, no definitive answer had been found and, at the time, WCB staff had not been able to locate any reference to a claim concerning Mr. A, prior to the application Ms. E made in 1998. Since, given the circumstances, it seemed very unusual to us that a WCB claim had not been established when Ms. E's husband died in 1960, we pursued this issue.

Sometimes, even though our investigation does not substantiate a complaint, it reveals information which provides those concerned with an explanation and understanding of the matter which is at the heart of the complaint.

We asked Ms. E if she had kept any documentation from the time of Mr. A's death. She provided us with copies of some documents she still had. In reviewing these materials, we found a copy of a note she had sent to WCB in May 1960, in which she referenced a claim number for her late husband. We brought this information to the attention of a WCB complaints officer, who searched the agency's records for information on this claim number.

In the WCB's microfilm index of old claims, which was not contained in its current electronic database, the officer found the claim number listed as having been established in 1960 in connection with the death of Mr. A.

When copies of these records were produced, they showed that the WCB had investigated the circumstances of the accident in 1960. WCB officials had reviewed information about Mr. A's status as a worker under the *Workers' Compensation Act (WCA)*. Based on the information available at the time, the WCB had concluded that Mr. A had been a partner in the company. The company had not been registered with the WCB at the time of the accident and Mr. A had not taken out personal optional protection coverage. Therefore, the WCB had determined that Mr. A was not covered by the *WCA* at the time of his death and it had rejected the claim. This decision had been reviewed and confirmed by two WCB commissioners in 1960.

We noted that there is no provision that would allow the WCB's 1960 decision to be reviewed or appealed. Our review of the claim records found that the decision had been made in accordance with the relevant legislation and policy, and had been based on the evidence the WCB obtained at the time from those who had direct knowledge of the circumstances.

It is unfortunate that the existence of the 1960 claim was not identified when Ms. E contacted the WCB in 1998. If it had been, the reason for the rejection of the 1960 claim would have been explained to her, and the review and appeal process she undertook in 1998 might not have been necessary.

Our investigation did not substantiate Ms. E's complaint that the WCB's decisions were unjust. However, as a result of our investigation, the 1960 claim was found. Ms. E received information from that file, and she understood the reason why she had not received any WCB benefits following her first husband's death.

Case Summaries

Public Guardian and Trustee agrees that elderly bride can move in with husband

Public Guardian and Trustee

A senior citizen named Abe called us because he thought the Public Guardian and Trustee (PGT) was taking too long to make decisions about the validity of his recent marriage, and his request to move his new wife Aileen out of her existing care facility, and into a new one with him. He had made the request to move his wife four months prior to contacting us.

While Aileen was currently living at an extended care home, Abe was much younger than her, and was not. Abe said Aileen wanted to move with him to a different facility, where they could room together as a married couple. However, since Aileen was more than 90 years old and in failing health, her finances were being managed on her behalf by the PGT. Staff at her current residence therefore asked her case manager at the PGT to respond to Abe's request. They had also told him that the PGT had concerns about his wife's capacity to enter into a valid marriage, and so would need to resolve those questions before scheduling a meeting to discuss the possibility of moving.

When we called the PGT, the acting manager of client services told us that delays in responding to Abe's request had been due to the need to get medical and legal opinions on Aileen's capacity. Additional delays followed because Aileen had initially been unwilling to participate in the independent assessment carried out by the health authority.

The manager later told us he had met with Abe and Aileen to let them know that while the PGT would not challenge the validity of their marriage, they couldn't support Aileen's move to the proposed facility, since her care needs were high, and the new facility would not be able to meet them. However, the manager said another care home option that Abe had suggested was still being considered. Subsequently, the PGT let us know that they had agreed to support Aileen's move with Abe to a facility that could meet her care needs.

From our perspective, this was a satisfactory resolution to Abe's complaint, and so we closed his file.

Man reimbursed for lost belongings

Corrections Centre
Lower Mainland

Brent called us because some of his belongings had been lost while he was in the custody of the North Fraser Pre-trial Centre and he thought they were taking too long to reimburse him.

In March 2006, Brent had taken his problem to the Investigation and Standards Office (ISO), which is the agency that responds to complaints about provincial correctional centres. In June of that year, the ISO determined that the centre was responsible for the belongings Brent had lost while in its custody. When Brent called us in November, his claim still hadn't been resolved.

We called the centre and spoke to the official dealing with the situation, who confirmed that competing priorities had caused delays in considering Brent's claim. In response to our discussion, the official wrote to Brent in order to get a better understanding of the property he had lost, and its cash value. In March 2007, after studying Brent's response and discussing his claim with us, the official sent Brent a proposal to resolve his claim for $1,000. Brent told us he would likely accept this offer, and thanked us for our help with moving his claim forward. Since the underlying issue that had led to his complaint had been addressed, we closed our file.

PGT responds to worried granddaughter

Public Guardian and Trustee
Lower Mainland

Catherine contacted us because she was frustrated with how the Public Guardian and Trustee (PGT) had responded when she called and wrote to them with concerns about her grandmother.

Catherine's grandmother had been assessed as being no longer capable of making decisions about her finances and the PGT was in charge of (held committee over) her affairs. As a result, the PGT was responsible for protecting the grandmother's interests when decisions about her were made.

Catherine did not feel like the PGT was taking her questions or concerns about her grandmother seriously. She had written several letters and made phone calls to the PGT about how they were handling her grandmother's financial affairs. She said she had raised her concerns about the lack of communication but the PGT did not acknowledge her complaint. She wanted the PGT's staff to apologize for what she felt was their lack of response.

Our investigation clarified matters for Catherine. It was evident that her family did not all agree on matters involving the grandmother. Staff at the PGT acknowledged that communication in such situations can be challenging. They explained that during the period in question, they had been responding to requests for information about Catherine's grandmother from multiple sources, and that some of these related to the concerns Catherine had raised with them. They also agreed to improve their practices, including by developing a referral form to help families when they are in dispute with the committee.

We were satisfied with the PGT's explanation of what had happened and its subsequent action to resolve concerns, so we closed our file. Although Catherine still disagreed with the PGT's response, she wrote to the ombudsman officer who investigated her complaint to thank him for his efforts and for listening to her.

And now, something to chew on

Investigation and Standards Office

Mr. H became ill while in prison on remand and was taken to the hospital after some kind of seizure. He remained in the hospital several days before being discharged back to a different jail. There is no question that before his seizure Mr. H had full dentures in place, and that these dentures did not accompany him to the hospital. Likely they fell out during the seizure or were removed to prevent him from choking.

Case S

Mr. H is a patient man, so he spent many weeks trying to locate his teeth, then to have them replaced. Neither process was helped by the fact that he was transferred between three jails during this time, and any response to his concern seemed to fall into the cracks or change hands each time he moved. He tried making a written complaint to the Investigation and Standards Office (ISO), which is the agency that considers complaints about the administrative actions and decisions of Corrections staff. Two months passed, and he'd heard nothing, so he complained to us.

When we began to investigate, it was clear that ISO had started its own investigation, but that it went on hold when the investigator went on vacation. What concerned us was that ISO was approaching Mr. H's case as a health care issue, and had asked for a dental opinion on whether or not replacement dentures were "necessary." From our perspective this was not the point. Somehow, Corrections staff had lost or had failed to safeguard the property of a prisoner in acute medical need. If they had lost Mr. H's coat or shoes, these would have been replaced whether or not new shoes were medically necessary. Why was this different because the missing item was a prosthetic device? And should anyone be left without teeth for months on end, through no fault of his own?

At one point a dentist suggested that Mr. H was doing quite well at coping without his denture. Another person suggested that Mr. H should pay for his own replacement, or contribute to that cost, just as he would pay for his own dentures in the community. Well, yes he would, but not if the hospital had lost them. Fortunately, we did not have to complete the debate on these questions as the remand centre in which Mr. H was living decided to provide new dentures at no cost to Mr. H. It is troubling, though, and something for us to chew on, that there was so much debate and so much delay on this issue before a solution was achieved.

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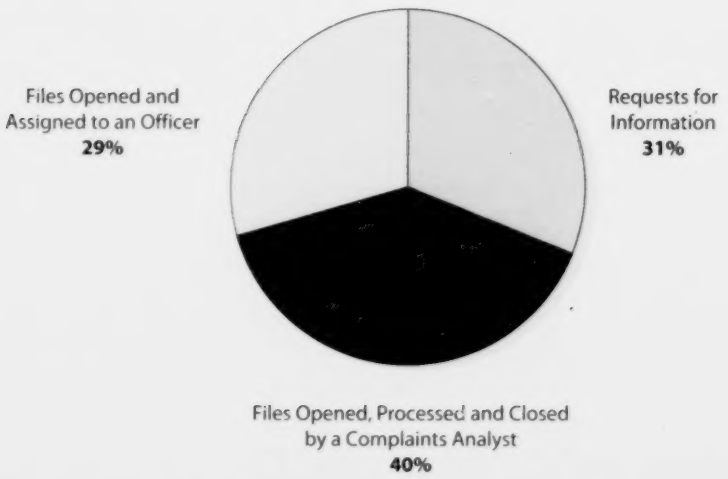
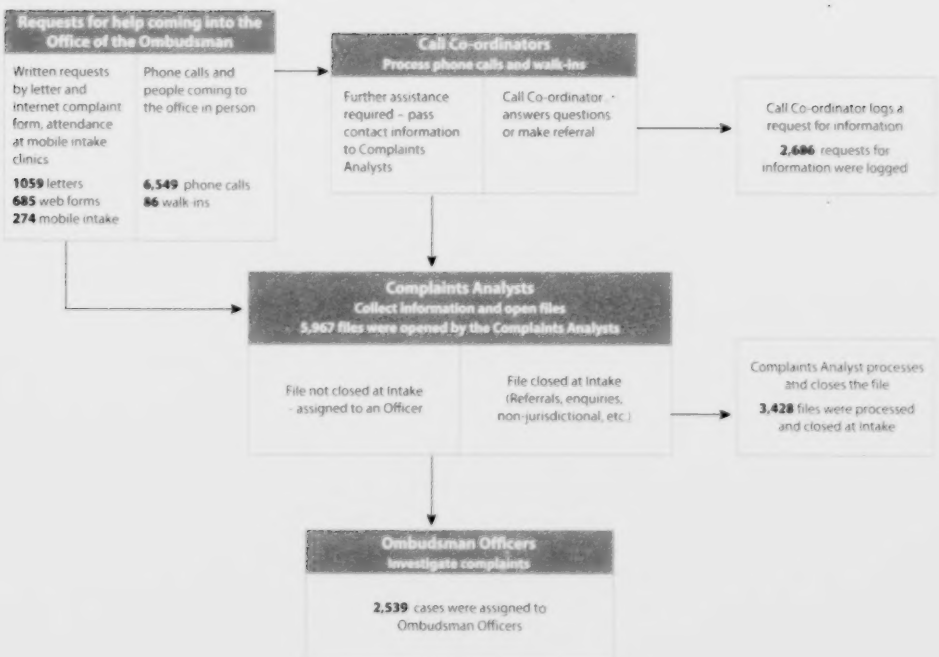
Statistics

How Intakes Were Processed Jan. 2007 through Mar. 2008

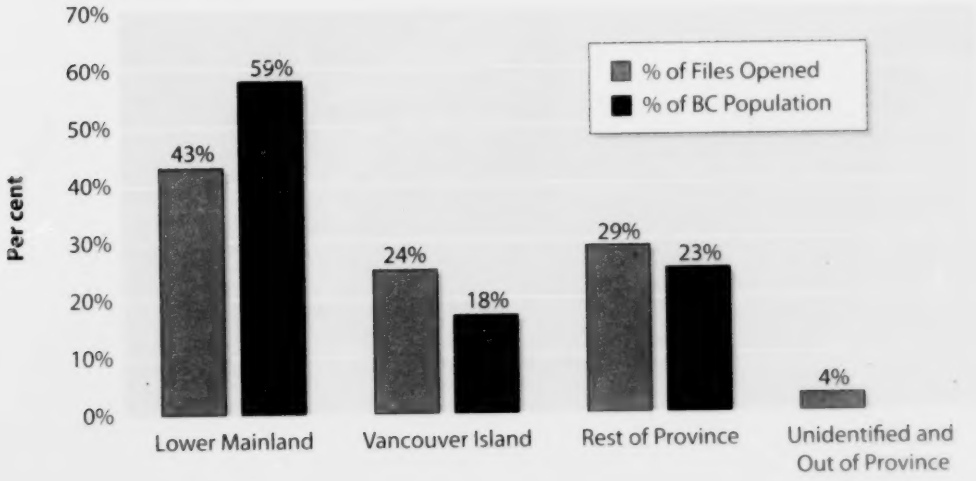
Total Intakes: 8,653




Requests for help coming into the Office of the Ombudsman
Written requests by letter and internet complaint form, attendance at mobile intake clinics
1059 letters
685 web forms
274 mobile intake
Phone calls and people coming to the office in person
6,549 phone calls
86 walk ins
Call Co-ordinators
Process phone calls and walk-ins
Further assistance required – pass contact information to Complaints Analysts
Call Co-ordinator answers questions or make referral
Call Co-ordinator logs a request for information
2,686 requests for information were logged
Complaints Analysts
Collect information and open files
5,967 files were opened by the Complaints Analysts
File not closed at Intake - assigned to an Officer
File closed at Intake (Referrals, enquiries, non-jurisdictional, etc.)
Complaints Analyst processes and closes the file
3,428 files were processed and closed at intake
Ombudsman Officers
Investigate complaints
2,539 cases were assigned to Ombudsman Officers

Statistics

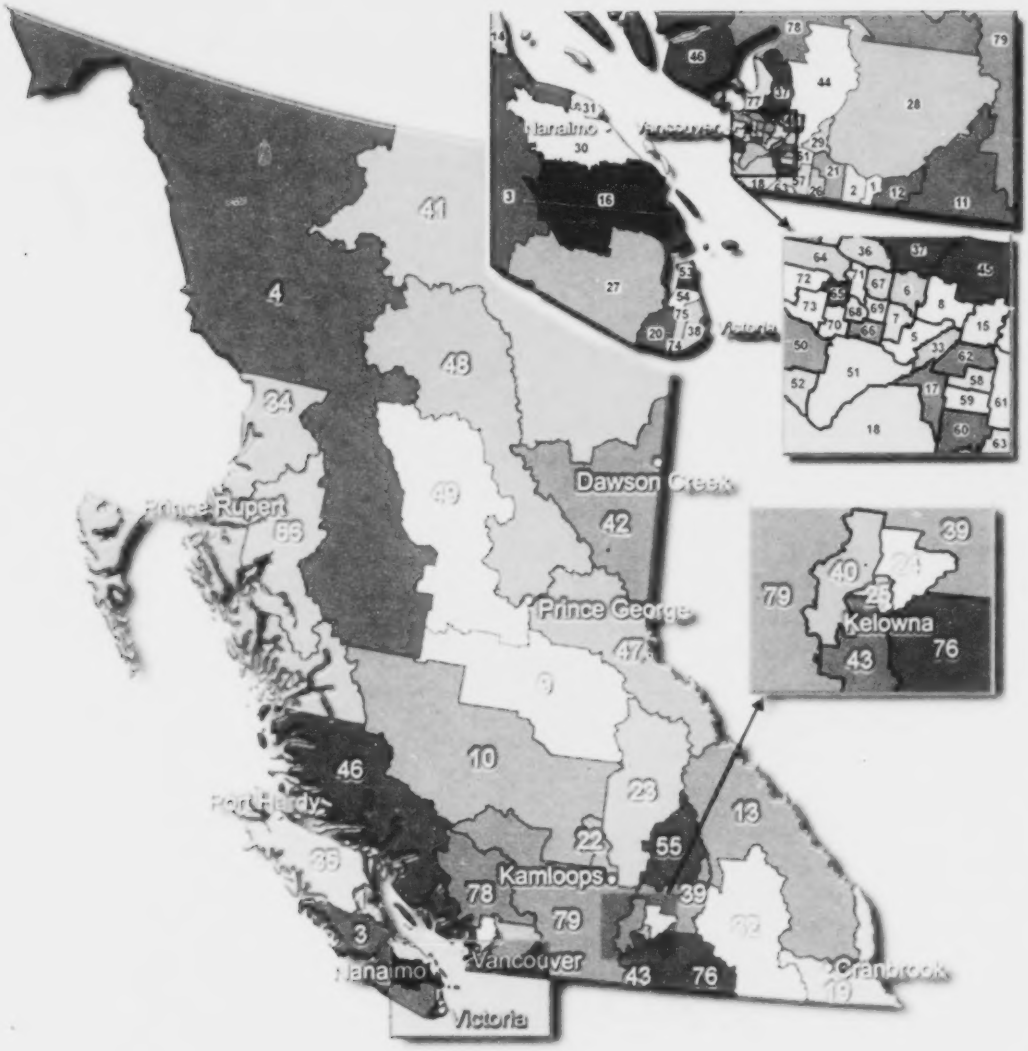
Jurisdictional Files Opened Jan. 2007 through Mar. 2008
Geographical Distribution of Files vs. Population



Breakdown of Files by Region

	Files Opened	Jurisdictional Files Opened
Lower Mainland	2,600	2,367
Vancouver Island	1,432	1,314
Rest of Province	1,708	1,580
Unidentified	52	35
Out of Province	175	156
Totals	5,967	5,452

Electoral Districts in British Columbia



Maps provided courtesy of Elections BC

Files Opened by Electoral District, Fiscal 2007/2008 [10]

#	Electoral District	Files Received
1	Abbotsford-Clayburn	46
2	Abbotsford-Mount Lehman	56
3	Alberni-Qualicum	95
4	Bulkley Valley-Stikine	42
5	Burnaby-Edmonds	27
6	Burnaby North	25
7	Burnaby-Willingdon	39
8	Burquitlam	34
9	Cariboo North	44
10	Cariboo South	43
11	Chilliwack-Kent	64
12	Chilliwack-Sumas	60
13	Columbia River-Revelstoke	46
14	Comox Valley	63
15	Coquitlam-Maillardville	63
16	Cowichan-Ladysmith	58
17	Delta North	21
18	Delta South	23
19	East Kootenay	50
20	Esquimalt-Metchosin	69
21	Fort Langley-Aldergrove	37
22	Kamloops	77
23	Kamloops-North Thompson	51
24	Kelowna-Lake Country	39
25	Kelowna-Mission	37
26	Langley	35
27	Malahat-Juan de Fuca	75
28	Maple Ridge-Mission	55
29	Maple Ridge-Pitt Meadows	96
30	Nanaimo	88
31	Nanaimo-Parksville	52
32	Nelson-Creston	82
33	New Westminster	40
34	North Coast	57
35	North Island	91
36	North Vancouver-Lonsdale	32
37	North Vancouver-Seymour	32
38	Oak Bay-Gordon Head	33
39	Okanagan-Vernon	42
40	Okanagan-Westside	40
41	Peace River North	26
42	Peace River South	22
43	Penticton-Okanagan Valley	59
44	Port Coquitlam-Burke Mountain	115
45	Port Moody-Westwood	24
46	Powell River-Sunshine Coast	88
47	Prince George-Mount Robson	90
48	Prince George North	31
49	Prince George-Omineca	27
50	Richmond Centre	22
51	Richmond East	22
52	Richmond-Steveston	29
53	Saanich North and the Islands	47
54	Saanich South	36
55	Shuswap	40
56	Skeena	39
57	Surrey-Cloverdale	33
58	Surrey-Green Timbers	37
59	Surrey-Newton	30
60	Surrey-Panorama Ridge	47
61	Surrey-Tynehead	12
62	Surrey-Whalley	61
63	Surrey-White Rock	15
64	Vancouver-Burrard	68
65	Vancouver-Fairview	34
66	Vancouver-Fraserview	26
67	Vancouver-Hastings	26
68	Vancouver-Kensington	22
69	Vancouver-Kingsway	28
70	Vancouver-Langara	30
71	Vancouver-Mount Pleasant	61
72	Vancouver-Point Grey	30
73	Vancouver-Quilchena	17
74	Victoria-Beacon Hill	119
75	Victoria-Hillside	59
76	West Kootenay-Boundary	67
77	West Vancouver-Capilano	25
78	West Vancouver-Garibaldi	34
79	Yale-Lillooet	65
	Total	**3722**

[10] Files received do not include Requests for Information. These figures do not include files involving individuals currently residing outside the province, or who did not provide a postal code.

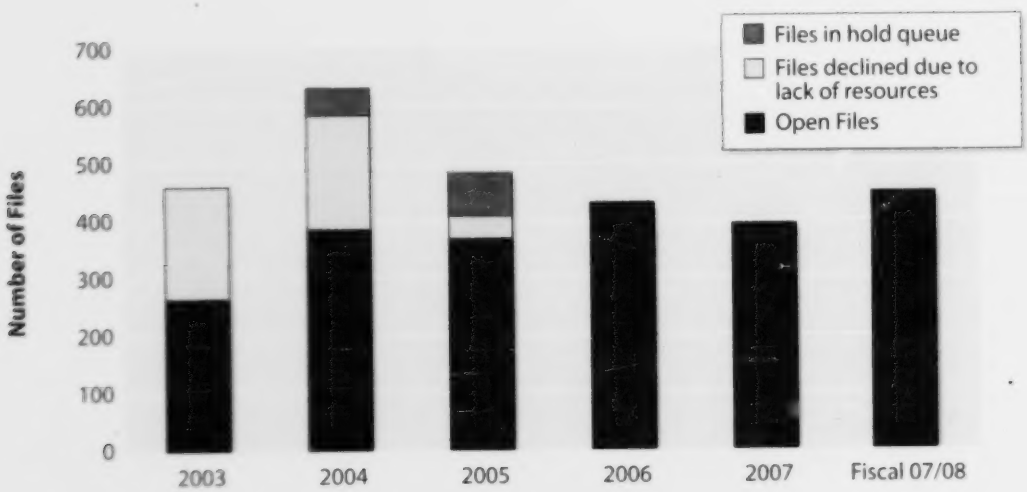
Statistics

Files Opened Jan. 2007 through Mar. 2008
Jurisdictional vs. Non-Jurisdictional

Intakes

	Jurisdictional	Non-Jurisdictional	**Totals**
Requests for Information	1,444	1,242	**2,686**
Files Opened	5,452	515	**5,967**
Totals	**6,896**	**1,757**	**8,653**

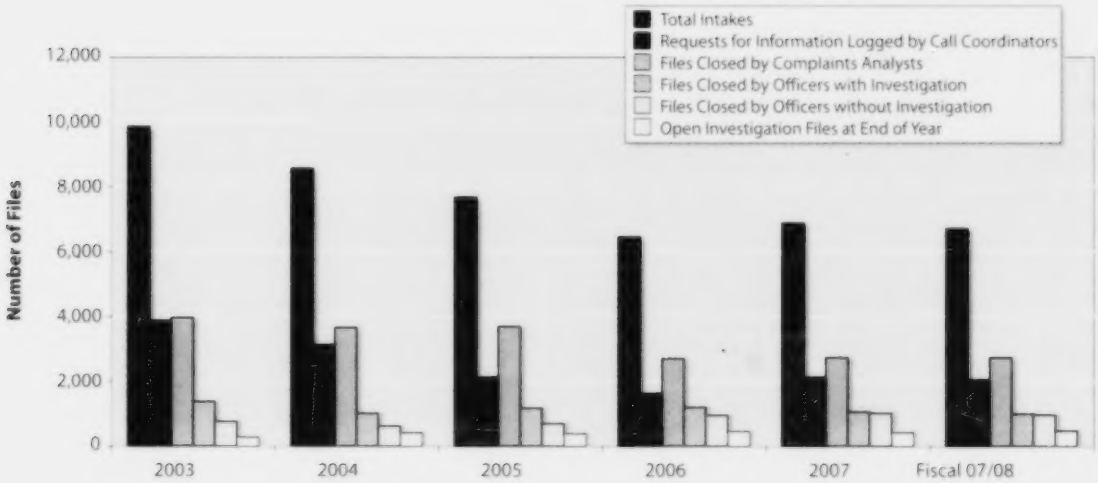
Opened and Deferred Files



Number of files at the end of each year

	2003	2004	2005	2006	2007	Fiscal 07/08
Open files	278	405	387	452	413	471
Files in hold queue	0	50	79	0	0	0
Files declined due to lack of resources	206	210	42	0	0	0

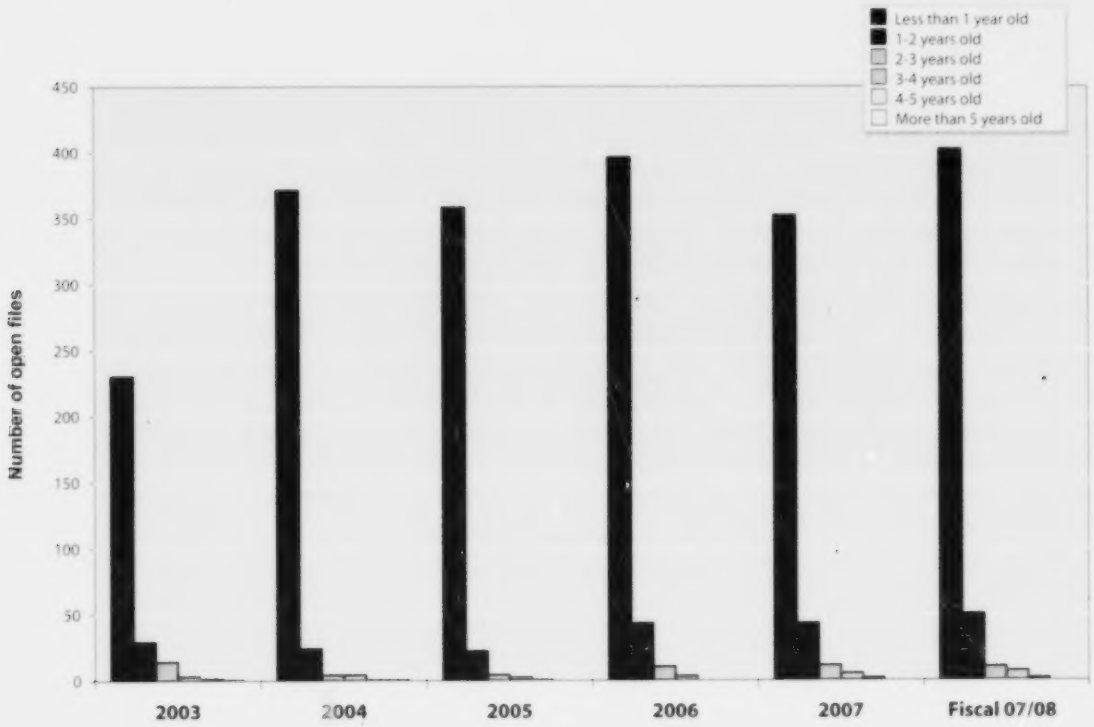
Office Case Load



Breakdown of Office Case Activity	2003	2004	2005	2006	2007	Fiscal 07/08
Open at the beginning of the year	**361**	**278**	**405**	**387**	**452**	**486**
(Data correction – deletion of duplicate files)	(1)	(2)	1			
Waiting in hold queue	-	-	**50**	**79**	**0**	**0**
Requests for Information - Jurisdictional	2,106	1,608	1,054	825	1,149	1,100
Requests for Information - Non-Jurisdictional	1,756	1,512	1,062	797	968	944
Files Opened - Jurisdictional	5,494	4,791	4,840	4,243	4,336	4,236
Files Opened - Non-Jurisdictional	499	465	506	383	417	419
Files Opened to the hold queue	-	187	200	190	0	0
Total Intakes	**9,855**	**8,563**	**7,662**	**6,438**	**6,870**	**6,699**
Requests for Information Logged by Call Coordinators	3,862	3,120	2,116	1,622	2,117	2,044
Files Closed by Complaints Analysts	3,962	3,652	3,683	2,695	2,729	2,722
Total Closed at Intake	**7,821**	**6,772**	**5,799**	**4,317**	**4,846**	**4,766**
Files Closed by Officers With Investigation	1,370	1,007	1,165	1,197	1,054	994
Files Closed by Officers Without Investigation	757	612	690	946	1,011	956
Total Closed by Officers	**2,127**	**1,619**	**1,855**	**2,143**	**2,065**	**1,950**
Files Reopened	**14**	**7**	**2**	**8**	**2**	**2**
Open at the end of the year	**278**	**405**	**387**	**452**	**413**	**471**
Waiting in hold queue	-	**50**	**79**	**0**	**0**	**0**

Statistics

Age Distribution of Open Files

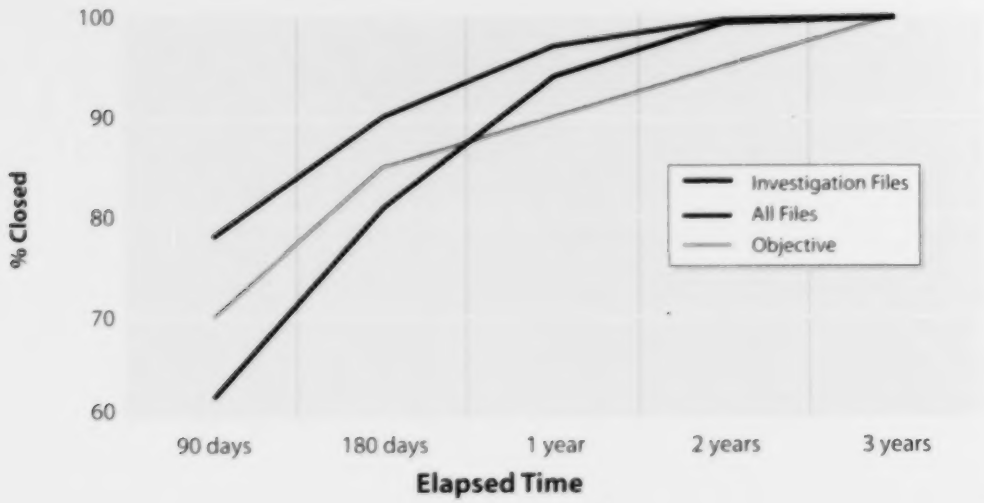


Number of files open at the end of each year

	2003	%	2004	%	2005	%	2006	%	2007	%	Fiscal 07/08	%
Less than 1 year old	230	* 83%	371	* 91%	358	* 92%	396	* 88%	352	* 85%	402	* 85%
1-2 years old	29		24		22		43		43		50	
2-3 years old	14		4		4		10		11		10	
3-4 years old	3	17%	4	9%	2	8%	3	12%	5	15%	7	15%
4-5 years old	1		1		1		0		2		2	
More than 5 years old	1		1		0		0		0		0	
Total open files	**278**		**405**		**387**		**452**		**413**		**471**	

* Performance measure introduced September 2002 set an objective to have less than 20% of open files more than 1 year old as of 2002 and less than 15% more than 1 year old as of 2003 and less than 10% more than 1 year old as of 2004.

Files Closed from Jan. 2007 to Mar. 2008
Percentage of Files Closed Within Elapsed Time



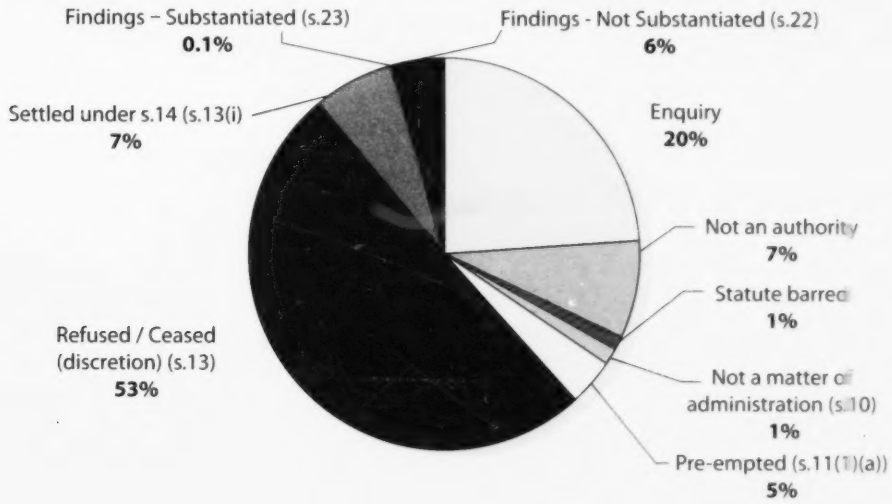
Files Closed

	Closed within 90 days		Within 180 days		Within 1 year		Within 2 years		Within 3 years	
	Files	%	Files	%	Files	%	Files	%	Files	%
Investigation Files	798	62%	1042	81%	1208	94%	1280	99.3%	1287	99.8%
All Files	1958	78%	2259	90%	2439	97%	2513	99.6%	2520	99.9%
Performance Objective*		70%		85%		90%		95%		100%

* These performance objectives apply to the investigative teams, so files closed at intake are not included in these numbers.

Statistics

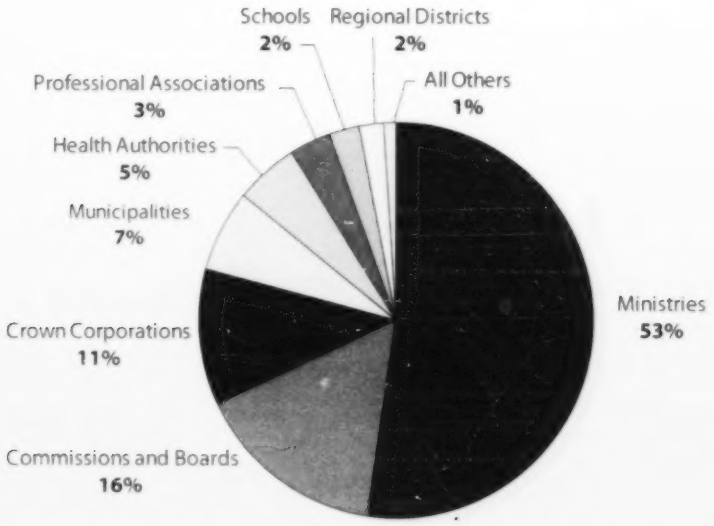
How Files were Closed from Jan. 2007 to Mar. 2008



Closing Status	No Investigation	Investigation	Matters Closed*
Enquiry	1,462	NA	1,462
Not an authority	498	NA	498
Statute barred	65	NA	65
Not a matter of administration (s.10)	87	1	88
Pre-empted (s.11(1)(a))	229	4	233
Refused/Ceased (discretion) (s.13)	2,320	789	3,109
s.13(a)	2	0	2
s.13(b)	17	3	20
s.13(c)	1,310	53	1,363
s.13(d)	0	0	0
s.13(e)	679	676	1,355
s.13(f)	63	19	82
s.13(g)	112	11	123
s.13(h)	137	27	164
Settled under s.14 (s.13(i))	NA	416	416
Findings - Substantiated (s.23)	NA	4	4
Findings - Not Substantiated (s.22)	NA	267	267
Total Closings	**4,661**	**1,481**	**6,142**
Total Files Closed*	**4,661**	**1,289**	**5,950**

* For investigation files, the number of files closed is no longer the same as the number of closings. Starting July, 2003, we began closing each issue, or matter of administration identified on a file, separately. Each investigation file has one or many matters of administration. Therefore the number of matters closed during that period may be greater than the number of files closed during that period. A file is considered closed when all of its matters of administration are closed.

Files Closed from Jan. 2007 to Mar. 2008
Authority Distribution



Total jurisdictional files closed Jan. 2007 through March 2008: 5,434

Ministries (53%) [11]	
Ministry of Employment and Income Assistance	27%
Ministry of Children and Family Development	24%
Ministry of Public Safety and Solicitor General	16%
Ministry of Health	7%
Ministry of Attorney General	7%
Ministry of Forests and Range	6%
Ministry of Small Business and Revenue	3%
Ministry of Environment	2%
Ministry of Transportation	2%
Other Ministries	6%

Commissions and Boards (16%)	
WorkSafeBC	46%
BC Housing	11%
Workers' Compensation Appeal Tribunal	10%
Public Guardian and Trustee	9%
Human Rights Tribunal	3%
BC Ambulance Service	3%
Business Practices & Consumer Protection Authority	2%
BC Utilities Commission	2%
Employment and Assistance Appeal Tribunal	1%
Coroners Service	1%
Labour Relations Board	1%
Other Commissions and Boards	11%

[11] Names of the ministries are those used prior to the government reorganization that took place in June 2008.

Crown Corporations (11%)	
ICBC	50%
BC Lottery Corporation	21%
BC Hydro and Power Authority	16%
Community Living BC	5%
BC Assessment	5%
Other Crown Corporations	3%

Municipalities (7%)	
City of Vancouver	8%
City of Abbotsford	5%
City of Nanaimo	5%
City of Powell River	4%
District of Saanich	3%
District of Sechelt	3%
City of Surrey	3%
District of North Vancouver	3%
City of Kamloops	2%
City of Dawson Creek	2%
Other Municipalities	62%

Health Authorities (5%)	
Fraser Health Authority	22%
Vancouver Island Health Authority	21%
Vancouver Coastal Health Authority	18%
Provincial Health Services Authority	18%
Interior Health Authority	15%
Northern Health Authority	6%

Professional Associations (3%)	
College of Physicians and Surgeons of BC	39%
Law Society of British Columbia	33%
College of Dental Surgeons of BC	7%
College of Psychologists of BC	3%
College of Teachers	3%
Other Professional Associations	15%

Regional Districts (2%)	
Capital Regional District	14%
Comox Valley Regional District	12%
Central Kootenay Regional District	7%
Cowichan Valley Regional District	7%
Greater Vancouver Regional District	7%
Okanagan-Similkameen Regional District	7%
Other Regional Districts	46%

Schools and School Boards (2%)	
School District 05 (Southeast Kootenay)	7%
School District 22 (Vernon)	6%
School District 61 (Greater Victoria)	6%
School District 43 (Coquitlam)	6%
School District 39 (Vancouver)	5%
Other School Districts	70%

All Others (1%)	
Colleges	34%
Universities	33%
Improvement Districts	21%
Libraries	8%
Islands Trust	3%

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01-Jan-2007	Requests for Information	Files Opened	Files Closed								Files Open as of 31-Mar-2008
				Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14[4] (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed[3]	Total Files Closed[3]	
Ministries [2]	**195**	**647**	**2862**	**593**	**232**	**1745**	**247**	**130**	**3**	**2950**	**2844**	**213**
Ministry of Aboriginal Relations & Reconciliation	0	0	1	1	0	0	0	0	0	1	1	0
Ministry of Advanced Education	6	0	33	13	2	14	6	2	0	37	37	2
Ministry of Agriculture and Lands	2	1	22	9	0	6	4	2	0	21	20	4
Ministry of Attorney General	10	19	190	36	9	137	4	8	0	194	189	11
Ministry of Children and Family Development	45	15	684	83	15	549	50	16	0	713	685	44
Ministry of Community Services	6	3	19	7	1	7	1	4	0	20	20	5
Ministry of Education	0	2	11	6	0	3	0	0	0	9	9	2
Ministry of Employment and Income Assistance	33	40	761	139	171	397	64	27	0	798	762	32
Ministry of Energy, Mines and Petroleum Resources	4	1	9	2	3	3	2	1	0	11	11	2
Ministry of Environment	14	3	56	10	1	35	9	6	0	61	56	14
Ministry of Finance	1	1	9	4	0	2	2	2	0	10	9	1
Ministry of Forests and Range	17	403	167	61	5	89	17	7	0	179	173	11
Ministry of Health	22	8	224	69	3	104	33	12	0	221	212	34
Ministry of Labour and Citizens' Services	1	90	37	15	5	10	6	5	0	41	37	1
Ministry of Public Safety and Solicitor General	16	55	470	85	14	322	19	30	3	473	469	17
Ministry of Small Business and Revenue	14	1	94	27	3	41	21	4	0	96	91	17
Ministry of Tourism, Sport and the Arts	0	1	10	2	0	5	1	1	0	9	8	2
Ministry of Transportation	4	4	65	24	0	21	8	3	0	56	55	14
Commissions and Boards	**66**	**611**	**862**	**313**	**94**	**374**	**65**	**36**	**0**	**858**	**852**	**77**
BC Ambulance Service	4	1	22	6	1	13	3	1	0	24	24	2
BC Board of Parole	0	0	1	0	0	1	0	0	0	1	1	0
BC Housing	4	4	97	25	2	68	2	0	0	97	97	4
BC Review Board	0	0	2	0	0	2	0	0	0	2	2	0
BC Safety Authority	0	0	2	0	0	2	0	0	0	2	2	0
BC Securities Commission	0	2	9	3	2	4	0	0	0	9	9	0
BC Utilities Commission	0	47	15	5	0	6	2	0	0	13	13	2
Board of Examiners in Optometry	0	0	1	1	0	0	0	0	0	1	1	0
British Columbia Unclaimed Property Society	0	0	1	0	0	0	0	0	0	0	0	1
Business Practices & Consumer Protection Authority	0	473	15	13	0	1	1	0	0	15	15	0

Statistics

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01-Jan-2007	Requests for Information	Files Opened	Files Closed								Files Open as of 31 Mar 2008
				Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
City of Vancouver Board of Variance	0	0	1	0	0	1	0	0	0	1	1	0
Community Care and Assisted Living Appeal Board	0	0	1	0	0	0	0	1	0	1	1	0
Coroners Service	3	1	8	2	0	11	1	0	0	14	11	0
Emergency Medical Assistants Licensing Board	0	0	1	0	0	0	0	0	0	0	0	1
Employment Standards Tribunal	0	0	1	0	0	1	0	0	0	1	1	0
Employment and Assistance Appeal Tribunal	2	0	11	1	1	10	0	0	0	12	12	1
Environmental Appeal Board	0	0	1	0	0	1	0	0	0	1	1	0
Financial Institutions Commission	0	15	8	2	1	3	0	0	0	6	6	2
Forest Practices Board	0	0	1	0	0	0	0	0	0	0	0	1
Health Employers Association of BC	0	0	2	2	0	0	0	0	0	2	2	0
Human Rights Tribunal	4	22	24	10	0	17	2	1	0	30	27	1
Industry Training Authority	0	0	2	1	0	0	0	0	0	1	1	1
Insurance Council of BC	0	7	1	1	0	0	0	0	0	1	1	0
Labour Relations Board	0	18	11	6	1	4	0	0	0	11	11	0
Land Title and Survey Authority	1	2	9	2	1	5	0	1	0	9	9	1
Medical Services Commission	0	0	1	0	0	1	0	0	0	1	1	0
Motor Vehicle Sales Authority of BC	0	0	5	2	1	2	0	0	0	5	5	0
Passenger Transportation Board	0	0	2	1	0	0	0	0	0	1	1	1
Pension Corporation	2	1	7	2	1	3	0	0	0	6	6	3
Premier's Office	0	0	4	3	0	1	0	0	0	4	4	0
Private Career Training Institutions Agency	1	6	7	5	0	2	0	0	0	7	7	1
Property Assessment Appeal Board	1	0	3	1	0	3	0	0	0	4	4	0
Provincial Agricultural Land Commission	0	0	6	2	0	2	1	0	0	5	5	1
Provincial Capital Commission	0	0	1	0	0	1	0	0	0	1	1	0
Public Guardian and Trustee	5	4	82	26	0	50	8	3	0	87	79	9
Real Estate Council	1	5	11	3	0	3	1	0	0	7	7	5
Teachers' Pension Board of Trustees	0	0	1	0	0	1	0	0	0	1	1	0
Translink	1	0	9	5	0	3	1	1	0	10	10	0
Workers' Compensation Appeal Tribunal	10	0	84	31	9	38	0	7	0	85	85	9
Workers' Compensation Board	27	3	392	152	74	114	43	21	0	404	388	31
Crown Corporations	**35**	**52**	**616**	**184**	**17**	**369**	**23**	**23**	**1**	**617**	**608**	**44**
BC Assessment	0	0	30	11	4	11	2	0	0	28	28	2

Statistics

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Jan 2007	Requests for Information	Files Opened	Files Closed								Files Open as of 31 Mar 2008
				Enquiries	Declined (s.10, 11)	Refused (ceased discretion) (s.13)	Settled under s.14 (s.13(3))	Not Substantiated (s.22)	Findings: Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
BC Hydro and Power Authority	2	7	103	16	1	75	4	3	0	99	98	7
BC Lottery Corporation	17	1	116	87	3	32	2	4	1	129	128	6
BC Transit	0	0	2	1	0	0	0	0	0	1	1	1
BC Transmission Corporation	0	0	2	1	0	0	0	0	0	1	1	1
British Columbia Railway Company	0	0	1	0	0	1	0	0	0	1	1	0
Columbia Power Corporation	0	0	1	1	0	0	0	0	0	1	1	0
Community Living BC	5	0	37	7	0	25	3	3	0	38	33	9
Homeowner Protection Office	0	0	7	2	1	4	0	0	0	7	7	0
ICBC	9	44	314	57	8	219	11	13	0	308	306	17
Land and Water British Columbia Inc.	1	0	0	0	0	1	0	0	0	1	1	0
Oil and Gas Commission	1	0	2	1	0	1	1	0	0	3	3	0
Tourism BC	0	0	1	0	0	0	0	0	0	0	0	1
Municipalities	**66**	**9**	**337**	**88**	**15**	**203**	**24**	**37**	**0**	**367**	**354**	**49**
Bowen Island Municipality	0	0	1	1	0	0	0	0	0	1	1	0
City of Abbotsford	5	1	22	6	2	10	0	1	0	19	19	8
City of Armstrong	1	0	0	0	0	0	0	0	0	0	0	1
City of Burnaby	0	0	2	0	0	1	0	0	0	1	1	1
City of Campbell River	0	0	2	0	0	1	0	0	0	1	1	1
City of Castlegar	0	0	4	1	0	2	0	1	0	4	4	0
City of Chilliwack	0	1	2	0	0	2	0	0	0	2	2	0
City of Colwood	1	0	2	1	0	2	0	0	0	3	3	0
City of Coquitlam	2	0	1	0	0	4	0	0	0	4	3	0
City of Courtenay	1	0	2	0	0	2	0	1	0	3	3	0
City of Cranbrook	1	0	1	1	0	0	0	1	0	2	2	0
City of Dawson Creek	1	0	6	3	0	2	0	3	0	8	7	0
City of Duncan	0	0	1	1	0	0	0	0	0	1	1	0
City of Fernie	1	0	1	0	0	1	0	2	0	3	2	0
City of Fort St. John	1	0	1	1	0	0	0	1	0	2	2	0
City of Greenwood	1	0	1	0	1	1	0	0	0	2	2	0
City of Kamloops	1	0	7	4	0	3	1	0	0	8	8	0
City of Kelowna	0	0	3	0	0	3	0	0	0	3	3	0
City of Kimberley	0	0	7	1	0	4	0	1	0	6	6	1
City of Langford	1	0	6	2	0	3	1	0	0	6	6	1
City of Merritt	0	0	3	1	0	1	1	0	0	3	3	0
City of Nanaimo	2	1	20	7	0	9	1	2	0	19	18	4
City of Nelson	1	0	1	0	1	0	0	1	0	2	2	0
City of New Westminster	0	0	4	2	0	1	0	1	0	4	4	0

Statist

Authorities by Section 1 of the Schedule to the Ombudsman Act	Files Open as of 01 Jan 2007	Requests for Information	Files Opened	Files Closed								Files Open as of 31 Mar 2008
				Enquiries	Declined (s.10, 11)	Refused (Ceased) (discretion) (s.13)	Settled under s.14, s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
City of Penticton	0	0	2	0	0	1	0	1	0	2	2	0
City of Port Alberni	0	0	4	2	0	1	0	0	0	3	3	1
City of Port Coquitlam	0	0	2	0	0	2	0	0	0	2	2	0
City of Port Moody	0	0	1	0	0	1	0	0	0	1	1	0
City of Powell River	3	0	13	3	1	8	5	0	0	17	15	1
City of Prince George	1	0	4	0	0	3	0	0	0	3	3	2
City of Prince Rupert	0	0	3	1	0	1	0	0	0	2	2	1
City of Quesnel	1	0	0	0	0	1	0	0	0	1	1	0
City of Revelstoke	1	0	2	0	2	1	0	0	0	3	3	0
City of Richmond	2	0	3	3	0	2	0	0	0	5	5	0
City of Rossland	0	0	2	0	0	1	0	0	0	1	1	1
City of Salmon Arm	0	0	2	0	0	1	1	0	0	2	2	0
City of Surrey	0	0	11	1	0	8	0	1	0	10	10	1
City of Terrace	0	0	1	0	0	1	0	0	0	1	1	0
City of Trail	0	1	2	1	0	0	0	0	0	1	1	1
City of Vancouver	9	1	22	7	2	17	1	7	0	34	30	1
City of Vernon	0	0	6	1	0	4	0	0	0	5	5	1
City of Victoria	0	0	5	1	1	3	0	0	0	5	5	0
City of White Rock	0	0	1	0	1	0	0	0	0	1	1	0
City of Williams Lake	1	0	0	0	0	1	0	0	0	1	1	0
Corporation of Delta	5	0	2	2	0	1	1	2	0	6	6	1
District of Central Saanich	2	0	2	0	0	2	1	1	0	4	4	0
District of Chetwynd	1	0	0	0	0	1	0	0	0	1	1	0
District of Coldstream	1	0	0	0	0	1	0	0	0	1	1	0
District of Hope	0	0	7	1	0	3	1	0	0	5	5	2
District of Invermere	0	0	1	0	0	1	0	0	0	1	1	0
District of Kent	0	0	4	0	1	1	0	0	0	2	2	2
District of Kitimat	0	0	1	1	0	0	0	0	0	1	1	0
District of Lake Country	1	0	1	0	0	2	0	0	0	2	2	0
District of Lantzville	0	0	1	0	0	1	0	0	0	1	1	0
District of Lillooet	0	0	1	0	0	1	0	0	0	1	1	0
District of Logan Lake	0	0	1	0	0	1	0	0	0	1	1	0
District of Maple Ridge	1	0	3	0	0	2	2	0	0	4	4	0
District of Metchosin	0	0	4	2	0	2	0	0	0	4	4	0
District of Mission	0	0	1	0	0	1	0	0	0	1	1	0
District of North Cowichan	0	0	4	1	0	2	0	0	0	3	3	1
District of North Saanich	0	0	2	0	0	1	0	0	0	1	1	1
District of North Vancouver	1	0	9	1	1	7	1	0	0	10	10	0

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				Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
District of Oak Bay	0	0	1	0	0	0	0	1	0	1	1	0
District of Peachland	0	0	2	1	0	1	0	0	0	2	2	0
District of Saanich	3	0	9	2	0	8	1	1	0	12	12	0
District of Sechelt	2	0	10	3	0	8	0	0	0	11	11	1
District of Sicamous	0	0	4	0	0	3	0	1	0	4	4	0
District of Sooke	2	0	3	1	0	3	0	0	0	4	4	1
District of Squamish	1	1	5	0	0	3	0	2	0	5	5	1
District of Summerland	2	0	3	0	0	4	0	1	0	5	4	1
District of Tofino	0	0	5	2	0	1	2	0	0	5	5	0
District of Tumbler Ridge	1	0	2	1	0	1	0	0	0	2	2	1
District of Ucluelet	0	0	2	0	0	1	0	0	0	1	1	1
District of Vanderhoof	0	0	1	1	0	0	0	0	0	1	1	0
District of West Vancouver	0	0	1	0	0	1	0	0	0	1	1	0
Resort Municipality of Whistler	1	0	0	0	0	0	0	1	0	1	1	0
Town of Comox	0	0	3	1	0	2	0	0	0	3	3	0
Town of Golden	0	0	1	1	0	0	0	0	0	1	1	0
Town of Ladysmith	0	1	4	3	0	0	0	0	0	3	3	1
Town of Lake Cowichan	0	0	1	0	0	1	0	0	0	1	1	0
Town of Oliver	0	0	2	0	0	1	1	0	0	2	2	0
Town of Osoyoos	1	0	2	1	0	2	0	0	0	3	3	0
Town of Port McNeill	0	1	0	0	0	0	0	0	0	0	0	0
Town of Qualicum Beach	0	0	2	0	0	1	1	1	0	3	2	0
Town of Sidney	0	0	2	0	0	2	0	0	0	2	2	0
Town of Smithers	0	0	1	0	0	0	0	0	0	0	0	1
Town of View Royal	0	0	1	0	0	1	0	0	0	1	1	0
Township of Langley	0	0	6	1	0	2	0	1	0	4	4	2
Village of Anmore	1	0	0	0	0	1	0	0	0	1	1	0
Village of Fruitvale	0	0	1	1	0	0	0	0	0	1	1	0
Village of Harrison Hot Springs	0	0	4	2	0	2	0	0	0	4	4	0
Village of Kaslo	0	0	4	1	0	3	0	0	0	4	4	0
Village of Keremeos	0	0	1	0	0	0	0	0	0	0	0	1
Village of Lumby	0	0	1	0	0	1	0	0	0	1	1	0
Village of Midway	1	0	0	0	0	0	0	1	0	1	1	0
Village of Montrose	1	0	0	0	0	1	0	0	0	1	1	0
Village of Nakusp	0	0	3	0	1	1	0	0	0	2	2	1
Village of Port Clements	0	0	1	0	0	1	0	0	0	1	1	0
Village of Queen Charlotte	0	0	1	0	1	0	0	0	0	1	1	0
Village of Radium Hot Springs	0	0	1	0	0	1	0	0	0	1	1	0

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				Enquiries	Declined (s.10, 11)	Refused (Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed[2]	Total Files Closed[3]	
Village of Slocan	0	0	5	1	0	3	0	0	0	4	4	1
Village of Tahsis	0	1	8	3	0	3	0	0	0	6	6	2
Village of Telkwa	0	0	3	2	0	0	2	0	0	4	3	0
Village of Zeballos	0	0	1	0	0	1	0	0	0	1	1	0
Regional Districts	**13**	**4**	**108**	**28**	**4**	**62**	**11**	**6**	**0**	**111**	**108**	**13**
Alberni-Clayoquot Regional District	0	0	3	1	1	0	1	0	0	3	3	0
Bulkley-Nechako Regional District	0	0	1	1	0	0	0	0	0	1	1	0
Capital Regional District	3	1	13	2	0	12	1	0	0	15	15	1
Cariboo Regional District	0	0	2	1	0	1	0	0	0	2	2	0
Central Kootenay Regional District	1	0	7	5	0	2	1	0	0	8	8	0
Central Okanagan Regional District	1	1	3	2	0	1	1	0	0	4	4	0
Columbia-Shuswap Regional District	1	0	3	1	0	1	1	0	0	3	3	1
Comox Valley Regional District	0	2	14	2	2	7	2	0	0	13	13	1
Cowichan Valley Regional District	1	0	8	1	0	6	0	2	0	9	8	1
East Kootenay Regional District	0	0	4	2	1	1	0	0	0	4	4	0
Fraser Valley Regional District	0	0	6	1	0	3	0	0	0	4	4	2
Fraser-Fort George Regional District	0	0	1	0	0	1	0	0	0	1	1	0
Greater Vancouver Regional District	1	0	10	1	0	5	2	0	0	8	8	3
Kitimat-Stikine Regional District	1	0	0	0	0	1	0	0	0	1	1	0
Kootenay Boundary Regional District	0	0	5	0	0	4	0	0	0	4	4	1
Mount Waddington Regional District	0	0	1	0	0	1	1	0	0	2	1	0
Nanaimo Regional District	1	0	4	2	0	3	0	0	0	5	5	0
North Okanagan Regional District	0	0	4	1	0	2	1	1	0	5	4	0
Okanagan-Similkameen Regional District	2	0	6	3	0	3	0	2	0	8	8	0
Peace River Regional District	0	0	1	0	0	0	0	0	0	0	0	1
Powell River Regional District	0	0	1	0	0	1	0	0	0	1	1	0
Skeena-Queen Charlotte Regional District	1	0	2	1	0	1	0	0	0	2	2	1
Squamish-Lillooet Regional District	0	0	3	0	0	3	0	0	0	3	3	0
Sunshine Coast Regional District	0	0	3	1	0	1	0	1	0	3	3	0
Thompson-Nicola Regional District	0	0	3	0	0	2	0	0	0	2	2	1
Islands Trust	**0**	**0**	**2**	**1**	**0**	**1**	**0**	**0**	**0**	**2**	**2**	**0**
Improvement Districts	**4**	**0**	**11**	**2**	**0**	**7**	**3**	**1**	**0**	**13**	**13**	**2**
Beaver Creek Improvement District	0	0	3	0	0	2	0	0	0	2	2	1

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				Enquiries	Declined (s.10, 11)	Refused (ceased discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
Braithwaite Estates Improvement District	0	0	1	0	0	1	0	0	0	1	1	0
Clearbrook Waterworks District	0	0	1	0	0	0	1	0	0	1	1	0
Cobble Hill Improvement District	1	0	0	0	0	0	0	1	0	1	1	0
Covert Irrigation District	0	0	1	0	0	0	1	0	0	1	1	0
Dewdney Area Improvement District	0	0	1	0	0	1	0	0	0	1	1	0
Gabriola Fire Protection District	0	0	1	1	0	0	0	0	0	1	1	0
Genelle Improvement District	0	0	1	1	0	0	0	0	0	1	1	0
Gillies Bay Improvement District	0	0	1	0	0	0	0	0	0	0	0	1
Ootischenia Improvement District	1	0	0	0	0	0	1	0	0	1	1	0
Sechelt Fire Protection District	1	0	0	0	0	1	0	0	0	1	1	0
Sointula Waterworks District	0	0	1	0	0	1	0	0	0	1	1	0
Wynndel Irrigation District	1	0	0	0	0	1	0	0	0	1	1	0
Libraries	**1**	**0**	**4**	**3**	**0**	**2**	**0**	**0**	**0**	**5**	**5**	**0**
Cariboo Library Network	1	0	0	0	0	1	0	0	0	1	1	0
Greater Victoria Public Library	0	0	2	2	0	0	0	0	0	2	2	0
Vancouver Island Regional Library	0	0	2	1	0	1	0	0	0	2	2	0
Parks Boards	**1**	**0**	**1**	**0**	**0**	**2**	**0**	**0**	**0**	**2**	**2**	**0**
Cultus Lake Park Board	1	0	1	0	0	2	0	0	0	2	2	0
Schools and School Boards	**21**	**2**	**119**	**36**	**1**	**76**	**17**	**13**	**0**	**143**	**127**	**13**
School District 05 (Southeast Kootenay)	0	0	9	0	0	9	0	0	0	9	9	0
School District 06 (Rocky Mountain)	0	0	1	0	0	1	0	0	0	1	1	0
School District 08 (Kootenay Lake)	2	0	3	1	0	4	0	0	0	5	5	0
School District 10 (Arrow Lakes)	0	0	1	0	0	0	0	0	0	0	0	1
School District 19 (Revelstoke)	0	0	1	0	0	1	0	0	0	1	1	0
School District 20 (Kootenay-Columbia)	1	0	1	0	0	1	0	0	0	1	1	1
School District 22 (Vernon)	0	0	8	4	0	5	0	0	0	9	8	0
School District 27 (Cariboo-Chilcotin)	1	0	1	1	0	1	0	0	0	2	2	0
School District 28 (Quesnel)	0	0	1	0	0	1	0	0	0	1	1	0
School District 33 (Chilliwack)	0	0	2	0	0	1	2	0	0	3	2	0
School District 34 (Abbotsford)	1	0	2	1	0	1	0	4	0	6	3	0
School District 35 (Langley)	0	0	4	3	0	0	0	0	0	3	3	1
School District 36 (Surrey)	2	0	3	2	0	4	0	0	0	6	5	0
School District 38 (Richmond)	0	0	2	0	0	1	0	0	0	1	1	1
School District 39 (Vancouver)	0	1	6	1	0	5	0	0	0	6	6	0

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				Enquiries	Declined (s.10, 11)	Refused (ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
School District 40 (New Westminster)	0	0	3	1	0	1	1	0	0	3	3	0
School District 41 (Burnaby)	2	0	3	1	0	4	1	1	0	7	5	0
School District 42 (Maple Ridge-Pitt Meadows)	0	0	2	1	0	1	0	0	0	2	2	0
School District 43 (Coquitlam)	0	0	7	6	0	1	0	0	0	7	7	0
School District 44 (North Vancouver)	0	0	4	1	0	2	0	2	0	5	4	0
School District 45 (West Vancouver)	0	0	1	1	0	0	0	0	0	1	1	0
School District 46 (Sunshine Coast)	0	0	1	0	0	1	0	0	0	1	1	0
School District 48 (Howe Sound)	1	0	0	0	0	1	0	0	0	1	1	0
School District 52 (Prince Rupert)	0	0	1	0	0	0	1	0	0	1	1	0
School District 54 (Bulkley Valley)	0	0	3	1	0	1	1	0	0	3	3	0
School District 57 (Prince George)	0	0	3	0	0	2	1	0	0	3	3	0
School District 58 (Nicola-Similkameen)	0	0	2	0	0	1	1	0	0	2	2	0
School District 59 (Peace River South)	0	0	1	0	0	1	0	0	0	1	1	0
School District 61 (Greater Victoria)	2	0	8	1	1	4	1	3	0	10	8	2
School District 62 (Sooke)	0	1	2	0	0	1	0	0	0	1	1	1
School District 64 (Gulf Islands)	1	0	1	0	0	2	0	0	0	2	2	0
School District 67 (Okanagan Skaha)	0	0	1	1	0	0	0	0	0	1	1	0
School District 68 (Nanaimo-Ladysmith)	2	0	4	0	0	3	0	1	0	4	4	2
School District 69 (Qualicum)	0	0	1	0	0	0	1	0	0	1	1	0
School District 70 (Alberni)	0	0	2	1	0	1	0	0	0	2	2	0
School District 71 (Comox Valley)	0	0	3	0	0	2	3	0	0	5	3	0
School District 72 (Campbell River)	0	0	3	1	0	1	1	0	0	3	3	0
School District 73 (Kamloops/Thompson)	1	0	0	0	0	0	0	1	0	1	1	0
School District 75 (Mission)	1	0	3	0	0	2	0	0	0	2	2	2
School District 78 (Fraser-Cascade)	1	0	0	0	0	1	0	0	0	1	1	0
School District 79 (Cowichan Valley)	0	0	3	2	0	0	0	0	0	2	2	1
School District 81 (Fort Nelson)	0	0	1	0	0	0	1	0	0	1	1	0
School District 82 (Coast Mountains)	0	0	3	2	0	1	0	0	0	3	3	0
School District 85 (Vancouver Island North)	0	0	3	2	0	1	0	0	0	3	3	0
School District 87 (Stikine)	2	0	0	0	0	2	2	1	0	5	2	0

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				Enquiries	Declined (s.10.1)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings: Substantiated (s.23)	Total Matters Closed	Total Files Closed	
School District 91 (Nechako Lakes)	0	0	1	0	0	0	0	0	0	0	0	1
School District 92 (Nisga'a)	0	0	1	0	0	1	0	0	0	1	1	0
School District 93 (Conseil Scolaire Francophone)	1	0	3	1	0	3	0	0	0	4	4	0
Universities	**5**	**1**	**17**	**9**	**1**	**7**	**3**	**1**	**0**	**21**	**20**	**2**
Royal Roads University	0	0	3	2	0	0	0	0	0	2	2	1
Simon Fraser University	1	0	1	1	0	0	2	0	0	3	2	0
University of British Columbia	4	1	11	5	1	6	1	1	0	14	14	1
University of Victoria	0	0	2	1	0	1	0	0	0	2	2	0
Colleges	**3**	**2**	**26**	**5**	**0**	**13**	**2**	**3**	**0**	**23**	**21**	**8**
BC Institute of Technology	0	0	2	0	0	2	0	0	0	2	2	0
Camosun College	0	0	3	0	0	1	0	0	0	1	1	2
Capilano College	1	0	1	0	0	1	0	3	0	4	2	0
College of New Caledonia	0	0	1	0	0	0	1	0	0	1	1	0
College of the Rockies	0	1	9	1	0	2	0	0	0	3	3	6
Douglas College	1	0	0	0	0	1	0	0	0	1	1	0
Kwantlen University College	0	0	2	1	0	1	0	0	0	2	2	0
Langara College	0	0	1	1	0	0	0	0	0	1	1	0
Malaspina University College	0	1	1	0	0	1	0	0	0	1	1	0
Nicola Valley Institute of Technology	0	0	1	1	0	0	0	0	0	1	1	0
Northern Lights College	0	0	1	0	0	1	0	0	0	1	1	0
Okanagan College	0	0	1	0	0	1	0	0	0	1	1	0
University College of the Fraser Valley	0	0	1	1	0	0	0	0	0	1	1	0
Vancouver Community College	1	0	2	0	0	2	1	0	0	3	3	0
Professional Associations	**26**	**101**	**180**	**91**	**3**	**76**	**13**	**11**	**0**	**194**	**189**	**17**
Applied Science Technologists & Technicians of BC	0	0	1	0	0	0	0	0	0	0	0	1
Assoc. of Professional Engineers & Geoscientists	0	0	2	0	0	2	0	0	0	2	2	0
Association of BC Land Surveyors	1	0	0	0	0	1	0	0	0	1	1	0
Association of Professional Foresters	0	0	1	0	0	1	0	0	0	1	1	0
BC College of Chiropractors	0	0	2	0	0	2	0	0	0	2	2	0
BC Veterinary Medical Association	0	2	3	2	0	0	1	0	0	3	3	0
Board of Registration for Social Workers	0	0	4	3	0	0	0	0	0	3	3	1
Certified General Accountants Association of BC	0	1	0	0	0	0	0	0	0	0	0	0
College of Dental Hygienists of BC	0	0	2	1	0	1	0	0	0	2	2	0

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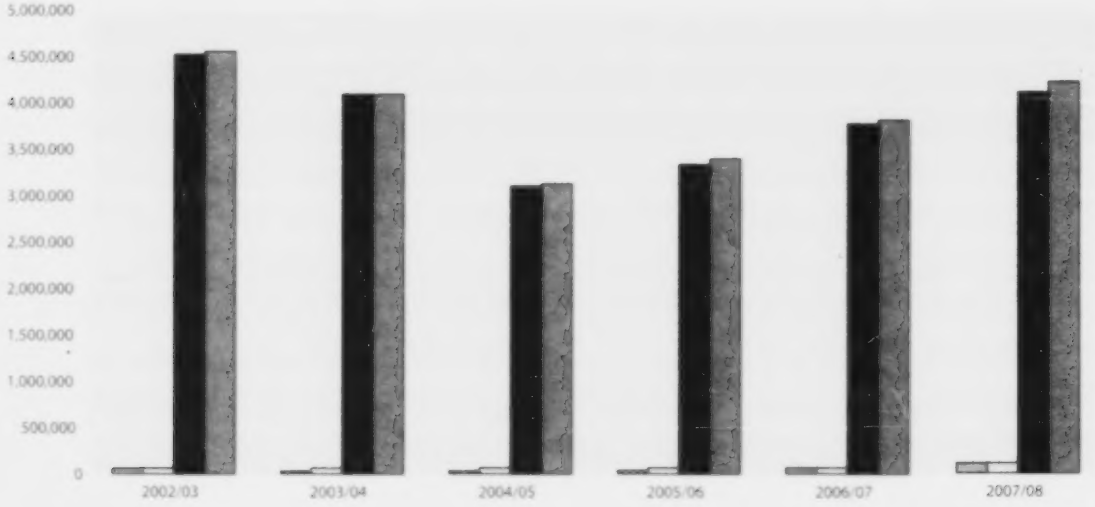
				Enquiries	Declined (s.10-11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
College of Dental Surgeons of BC	6	13	8	2	1	6	3	1	0	13	13	1
College of Massage Therapists of BC	0	0	1	0	0	0	0	0	0	0	0	1
College of Naturopathic Physicians of BC	1	0	0	0	0	1	0	0	0	1	1	0
College of Pharmacists of BC	0	2	4	3	0	0	1	0	0	4	4	0
College of Physicians and Surgeons of BC	5	44	71	40	1	28	3	2	0	74	73	3
College of Psychologists of BC	3	0	4	1	0	5	0	0	0	6	6	1
College of Registered Nurses of British Columbia	0	0	5	2	0	0	0	1	0	3	3	2
College of Registered Psychiatric Nurses of BC	0	0	1	1	0	0	0	0	0	1	1	0
College of Teachers	1	0	4	2	0	1	0	2	0	5	5	0
College of Traditional Chinese Medicine & Acupuncturists of BC	0	0	4	1	0	0	2	0	0	3	3	1
Institute of Chartered Accountants of BC	0	2	2	0	0	2	0	0	0	2	2	0
Law Society of British Columbia	9	36	60	32	1	26	3	5	0	67	63	6
Society of Notaries Public	0	1	1	1	0	0	0	0	0	1	1	0
Health Authorities	**15**	**15**	**307**	**103**	**7**	**172**	**8**	**6**	**0**	**296**	**289**	**33**
Fraser Health Authority	4	6	68	19	2	40	2	2	0	65	64	8
Interior Health Authority	3	1	46	16	1	25	1	0	0	43	42	7
Northern Health Authority	2	1	20	11	0	6	1	1	0	19	18	4
Provincial Health Services Authority	1	0	50	15	0	36	1	2	0	54	51	0
Vancouver Coastal Health Authority	2	3	58	18	3	32	1	0	0	54	53	7
Vancouver Island Health Authority	3	4	65	24	1	33	2	1	0	61	61	7
Jurisdictional Totals	**451**	**1444**	**5452**	**1456**	**374**	**3109**	**416**	**267**	**4**	**5602**	**5434**	**471**
Non-Jurisdictional Totals	**1**	**1242**	**515**	**6**	**510**	**0**	**0**	**0**	**0**	**516**	**516**	**0**
Grand Totals	**452**	**2686**	**5967**	**1462**	**884**	**3109**	**416**	**267**	**4**	**6118**	**5950**	**471**

* For investigation files, the number of files closed is no longer the same as the number of closings. Starting July 2003, we began closing each issue, or matter of administration identified on a file, separately. Each investigation file has one or many matters of administration. Therefore the number of matters closed during a period may be greater than the number of files closed during that period. A file is considered closed when all of its matters of administration are closed.

* Names of the ministries are those used prior to the government re-organization that took place in June 2008.



Budget Summary

	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
Actual Capital Expenditure	58,000	27,000	30,500	35,800	63,000	108,000
Capital Budget	59,000	62,000	65,000	65,000	65,000	110,000
Actual Operating Expenditure	4,516,000	4,086,000	3,093,000	3,326,000	3,761,000	4,100,000
Operating Budget	4,548,000	4,086,000	3,118,000	3,388,000	3,805,000	4,214,000
FTEs	50	38	30	34	37	40

Notes: The operating budget for 2003/04 includes $36,000 accessed from contingencies to assist with adjustments to leave liability.

The operating budget for 2004/05 includes $20,000 provided in Supplementary Estimates.

The operating budget for 2006/07 includes $69,000 provided subsequent to the initial estimates in relation to the general public service salary adjustments.

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